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<b>(54) Title:</b> PLASMIDS SUITABLE FOR GENE THERAPY		
<b>(57) Abstract</b>		
<p>The invention provides vectors adapted for use in transferring into tissue or cells of an organism genetic material encoding one or more cistrons capable of expressing one or more immunogenic or therapeutic peptides and related methods.</p>		

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## PLASMIDS SUITABLE FOR GENE THERAPY

### FIELD OF THE INVENTION

5 The present invention pertains to plasmids suitable for gene therapy and related methods.

### BACKGROUND OF THE INVENTION

10 A variety of genetic abnormalities arise in human cancer that contribute to neoplastic transformation and malignancy. Instability of the genome generates mutations that alter cell proliferation, angiogenesis, metastasis, and tumor immunogenicity. Despite a better understanding of the molecular basis of cancer, many malignancies remain resistant to traditional forms of treatment. The definition of tumor-associated genetic mutations, however, has  
15 heightened interest in cancer as a target for gene therapy. Immunotherapy has shown promise as a primary approach to the treatment of malignancy. Indeed, specific cancers, such as melanoma or renal cell carcinoma, are relatively more responsive to modulation of immune function, possibly because the immune system can be induced to recognize mutant gene products in these cells. Conventionally, approaches to immunotherapy have involved the administration of non-specific immunomodulating agents such as Bacillus Calmette-Guerin (BCG), cytokines, and/or adoptive T cell transfer, which have shown promise in animal models (B. Zbar, et al.,  
20 *J. Natl. Canc. Inst.* 46, 831 (1971); S.A. Rosenberg, et al., *J. Exp. Med.* 16, 1169 (1985); S. Shu, and S.A. Rosenberg, *Cancer Res.* 45, 1657 (1985); P.J. Spiess, et al., *J. Natl. Canc. Inst.* 79, 1067; T. Chou, et al., *J. Immunol.* 140, 2453 (1988); H. Yoshizawa, et al., *J. Immunol.* 147, 729 (1991)) and in man (D.L. Morton, et al., *Ann. Surg.* 180, 635 (1974); S.A. Rosenberg, et al., *Ann. Surg.* 210, 474 (1989); S.A. Rosenberg, et al., *N. Eng. J. Med.* 319, 1676 (1988); R.L. Kradin, et al., *Lancet* 577 (1989)). More recently, molecular genetic interventions have been designed in an attempt to improve the efficacy of immunotherapy. Human gene transfer  
30 protocols have been designed to monitor the traffic of lymphocytes into melanoma tumors (S.A. Rosenberg, et al., *N. Eng. J. Med.* 323, 570 (1990)) or to introduce cytokine genes into tumor cells to stimulate the host's immune response to residual tumor (S.A.  
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Rosenberg, *Hum. Gene Ther.* 3, 57 (1992)).

5 Recently, a new molecular genetic intervention has been developed for human malignancy. This approach relies on the direct transmission of recombinant genes into established tumors *in vivo* to genetically modify them as they grow *in situ*. In animal models, introduction of a gene encoding a foreign major histocompatibility (MHC) protein (class I) *in vivo* signals the immune system to respond to the foreign antigen (G.E. Plautz, et al., *Proc. Natl. Acad. Sci. USA* 90, 4645 (1993); E.G. Nabel, et al., *Proc. Natl. Acad. Sci. USA* 10 89, 5157 (1992)). More importantly, when this gene is transduced into established tumors *in vivo*, a cytolytic T cell response is also generated against unmodified tumor cells. In murine models, this approach has led to significant reductions in tumor growth and, in some cases, complete remission (G.E. Plautz, et al., *Proc. Natl. Acad. Sci. USA* 15 90, 4645 (1993)). Based on these studies, approval was recently received from the Recombinant DNA Advisory Committee of the National Institutes of Health to conduct a human clinical protocol using direct transfer of a human transplantation antigen gene in an effort to treat malignancy. This protocol proposed to perform direct gene transfer in humans and to utilize a non-viral vector which reduces several safety concerns about viral vectors. This clinical trial involved the treatment of patients with metastatic melanoma at subcutaneous lesions. The treatment constituted intratumoral injection of the human class I MHC gene, HLA-B7, complexed to a cationic liposome, DC-Cholesterol (G.J. Nabel, *Hum. Gene Ther.* 3, 705 (1992); X. Gao and L. Huang, *Biochem. Biophys. Res. Commun.* 179, 280 (1991)). These patients received escalating doses of the DNA liposome complex. Recombinant gene expression, toxicity, and the immunologic response to treatment is 25 being evaluated. Based on animal studies, no toxicities had been readily apparent using these modes of direct gene transfer *in vivo* in short-term or long-term studies (G.J. Nabel, *Hum. Gene Ther.* 3, 399 (1992); G.J. Nabel, *Hum. Gene Ther.* 3, 705 (1992); M.J. Stewart, et al., *Hum. Gene Ther.* 3, 267 (1992)). Taken together, these studies were intended to determine whether direct gene transfer was 35 an appropriate form of treatment for malignancy.

#### Direct Gene Transfer and Modulation of the Immune System

The utilization of catheter-based gene delivery *in vivo* provided a model system for the introduction of recombinant gene-containing molecules into specific sites *in vivo*. Early studies 40

focused on the demonstration that specific reporter genes could be expressed *in vivo* (E.G. Nabel, et al., *Science* 249, 1285 (1990); E.G. Nabel, et al., *Science* 244, 1342 (1989)). Subsequent studies were designed to determine whether specific biologic responses could be induced at sites of recombinant gene transfer. To address this question, a highly immunogenic molecule, a foreign major histocompatibility complex (MHC), was used to elicit an immune response in the iliofemoral artery using a porcine model. The human HLA-B7 gene was introduced using direct gene transfer with a retroviral vector or DNA liposome complex (E.G. Nabel, et al., *Proc. Natl. Acad. Sci. USA* 89, 5157 (1992)). With either delivery system, expression of the recombinant HLA-B7 gene product could be demonstrated at specific sites within the vessel wall. More importantly, the expression of this foreign histocompatibility antigen induced an immunologic response at the sites of genetic modification. This response included a granulomatous mononuclear cell infiltrate beginning 10 days after introduction of the recombinant gene. This response resolved by 75 days after gene transfer; however, a specific cytolytic T cell response against the HLA-B7 molecule was persistent. This study demonstrated that a specific immunologic response could be induced by the introduction of a foreign recombinant gene at a specific site *in vivo*. Moreover, this study provided one of the first indications that direct gene transfer of specific recombinant genes could elicit an immune response to the product of that gene *in vivo* (E.G. Nabel, et al., *Proc. Natl. Acad. Sci. USA* 89, 5157 (1992)).

These studies suggested that the introduction of the appropriate recombinant genes could be used to stimulate the immune system to recognize its product *in vivo*. In addition, this approach provided a general method for the induction of a specific site *in vivo*. To determine whether direct gene transfer might be appropriate for the treatment of disease, a murine model of malignancy was developed. Direct gene transfer of an allogeneic histocompatibility complex gene into a murine tumor was found to elicit an immune response not only to the foreign MHC protein but also to previously unrecognized tumor-associated antigens. These immune responses were T cell-dependent, and these tumor-associated proteins were recognized within the context of the self major histocompatibility complex. In animals presensitized to a specific MHC haplotype, direct gene transfer into established tumors could

attenuate tumor growth or, in some cases, lead to complete tumor regression (G.E. Plautz, et al., *Proc. Natl. Acad. Sci. USA* 90, 4645 (1993)). These studies demonstrated that direct gene transfer of foreign MHC genes into tumors have potentially therapeutic effects that may be appropriate for the treatment of malignancy.

#### Immunotherapy of Malignancy

In some instances, the immune system appears to contribute to the surveillance and destruction of neoplastic cells, by mobilization of either cellular or humoral immune effectors. Cellular mediators of anti-tumor activity include MHC-restricted cytotoxic T cells, natural killer (NK) cells (R.K. Oldham, *Canc. Metast. Rev.* 2, 323 (1983); R.B. Herberman, *Concepts Immunopathol.* 1, 96 (1985)) and lymphokine-activated killer (LAK) cells (S.A. Rosenberg, *Immunol. Today* 9, 58 (1988)). Cytolytic T cells which infiltrate tumors have been isolated and characterized (I. Yron, et al., *J. Immunol.* 125, 238 (1980)). These tumor infiltrating lymphocytes (TIL) selectively lyse cells of the tumor from which they were derived (P.J. Spiess, et al., *J. Natl. Canc. Inst.* 79, 1067; S.A. Rosenberg, et al., *Science* 223, 1318 (1986)). Macrophages can also kill neoplastic cells through antibody-dependent mechanisms (J. Marcelletti and P. Furmanski, *J. Immunol.* 120, 1 (1978); P. Ralph, et al., *J. Exp. Med.* 167, 712 (1988)), or by activation induced by substances such as BCG (P. Alexander, *Natl. Cancer Inst. Monogr.* 39, 127 (1973)).

Cytokines can also participate in the anti-tumor response, either by a direct action on cell growth or by activating cellular immunity. The cytostatic effects of tumor necrosis factor- $\alpha$  (TNF- $\alpha$ ) (L.J. Old, *Science* 230, 630 (1985)) and lymphotoxin (M.B. Powell, et al., *Lymphokine Res.* 4, 13 (1985)) can result in neoplastic cell death. Interferon- $\gamma$  (IFN- $\gamma$ ) markedly increases class I MHC cell surface expression (P. Lindahl, et al., *Proc. Natl. Acad. Sci. USA* 70, 2785 (1973); P. Lindahl, et al., *Proc. Natl. Acad. Sci. USA* 73, 1284 (1976)) and synergizes with TNF- $\alpha$  in producing this effect (L.J. Old, *Nature* 326, 330 (1987)). Colony stimulating factors such as G-CSF and GM-CSF activate neutrophils and macrophages to lyse tumor cells directly (S.C. Clark and R. Kamen, *Science* 236, 1229 (1987)), and interleukin-2 (IL-2) activates Leu-19+ NK cells to generate lymphokine activated killer cells (LAK) capable of lysing autologous, syngeneic or allogeneic tumor cells but not normal cells (S.A. Rosenberg, *Immunol. Today* 9, 58 (1988); M.T. Lotze, et al.,

Cancer Res. 41, 4420 (1981); C.S. Johnson, et al., *Cancer Res.* 50, 5682 (1990)). The LAK cells lyse tumor cells without preimmunization or MHC restriction (J.H. Phillips and L.L. Lanier, *J. Exp. Med.* 164, 814 (1986)). Interleukin-4 (IL-4) also generates  
5 LAK cells and acts synergistically with IL-2 in the generation of tumor specific killers cells (J.J. Mule, et al., *J. Immunol.* 142, 726 (1989)).

Since most malignancies arise in immunocompetent hosts, it is likely that tumor cells have evolved mechanisms to escape host  
10 defenses, perhaps through evolution of successively less immunogenic clones (G. Klein and E. Klein, *Proc. Natl. Acad. Sci. USA* 74, 2121 (1977)). Several studies suggest that reduced expression of MHC molecules may provide a mechanism to escape detection by the immune system. Normally, the class I MHC glycoprotein is highly expressed  
15 on a wide variety of tissues and, in association with  $\beta$ -2 microglobulin, presents endogenously synthesized peptide fragments to CD8 positive T cells through specific interactions with the CD8/T-cell receptor complex (P.J. Bjorkman and P. Parham, *Ann. Rev. Biochem.* 59, 253 (1990)). Deficient expression of class I MHC  
20 molecules could limit the ability of tumor cells to present antigens to cytotoxic T cells. Freshly isolated cells from naturally occurring tumors frequently lack class I MHC antigen completely or show decreased expression (C.A. Holden, et al., *J. Am. Acad. Dermatol.* 9, 867 (1983); N. Isakov, et al., *J. Natl. Canc. Inst.* 71, 139 (1983); W. Schmidt, et al., *Immunogen.* 14, 323 (1981); K. Funa, et al., *Lab Invest.* 55, 185 (1986); L.A. Lampson, et al., *J. Immunol.* 130, 2471 (1983)). Reduced class I MHC expression could  
25 also facilitate growth of these tumors when transplanted into syngeneic recipients. Several tumor cell lines which exhibit low levels of class I MHC proteins become less oncogenic when expression vectors encoding the relevant class I MHC antigen are introduced into them (K. Tanaka, et al., *Science* 228, 26 (1985); K. Hui, et al., *Nature* 311, 750 (1984); R. Wallich, et al., *Nature* 315, 301 (1985); H-G. Ljunggren and K. Karre, *J. Immunogenet.* 13, 141 (1986);  
30 G.J. Hammerling, et al., *J. Immunogenet.* 13, 153 (1986)). In some experiments, tumor cells which express a class I MHC gene confer immunity in naive recipients against the parental tumor (K. Hui and F. Grosveld, H. Festenstein, *Nature* 311, 750 (1984); R. Wallich, et al., *Nature* 315, 301 (1985)). The absolute level of class I MHC  
35 expression however, is not the only factor which influences the  
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tumorigenicity or immunogenicity of tumor cells. In one study, mouse mammary adenocarcinoma cells, treated with 5-azacytidine and selected for elevated levels of class I MHC expression did not display altered tumorigenicity compared to the parent line (D.A. Carlow, et al., *J. Natl. Canc. Inst.* 81, 759 (1989)).

The immune response to tumor cells can be stimulated by systemic administration of IL-2 (M.T. Lotze, et al., *J. Immunol.* 135, 2865 (1985)), or IL-2 with LAK cells (S.A. Rosenberg, et al., *N. Eng. J. Med.* 316, 889 (1987); C.S. Johnson, et al., *Leukemia* 3, 91 (1989)). Clinical trials using tumor infiltrating lymphocytes are also in progress (S.A. Rosenberg, et al., *N. Eng. J. Med.* 323, 570 (1990)). Recently, several studies have examined the tumor suppressive effect of lymphokine production by genetically altered tumor cells. The introduction of tumor cells transfected with an IL-2 expression vector into syngeneic mice stimulated an MHC class I restricted cytolytic T lymphocyte response which protected against subsequent rechallenge with the parental tumor cell line (E.R. Fearon, et al., *Cell* 60, 397 (1990)). Expression of IL-4 by plasmacytoma or mammary adenocarcinoma cells induced a potent anti-tumor effect mediated by infiltration of eosinophils and macrophages (R.I. Tepper, et al., *Cell* 57, 503 (1989)). These studies demonstrate that cytokines, expressed at high local concentrations, are effective anti-tumor agents.

An alternative approach has recently been proposed to stimulate an anti-tumor response through the introduction of an allogeneic class I MHC gene into established human tumors (*supra*). The antigenicity of tumor cells had been altered previously by the expression of viral antigens through infection of tumor cells (J. Lindenmann and P.A. Klein, *J. Exp. Med.* 126, 93 (1967); Y. Shimizu, et al., *Eur. J. Immunol.* 14, 839 (1984); H. Yamaguchi, et al., *Cancer Immunol. Immunother.* 12, 119 (1982); M. Hosokama, *Cancer Res.* 43, 2301 (1983); V. Shirrmacher and R. Heicappell, *Clin. Exp. Metastasis* 5, 147 (1987)), or expression of allogeneic antigens introduced by somatic cell hybridization (J.F. Watkins and L. Chen, *Nature* 223, 1018 (1969); N. Kuzumaki, et al., *Eur. J. Cancer.* 15, 1253 (1979)). Allogeneic class I MHC genes had been introduced into tumor cells by transfection and subsequent selection *in vitro*. These experiments produced some conflicting results. In one case, transfection of an allogeneic class I MHC gene (H-2L<sup>d</sup>) into an H-2<sup>b</sup> tumor resulted in immunologic rejection of the transduced cells and



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also produced transplantation resistance against the parent tumor cells (T. Itaya, et al., *Cancer Res.* 47, 3136 (1987)). In another instance, transfection of H-2<sup>b</sup> melanoma cells with the H-2D<sup>d</sup> gene did not lead to rejection (J.E. Talmadge, et al., *Proc. Amer. Assoc. for Cancer Res.* 26, 59 (1985)), however increased differential expression of H-2D products relative to H-2K may have affected the metastatic potential and immunogenicity of tumor cells (J. Gopas, et al., *Adv. Cancer Res.* 53, 89 (1989)). The effects of allogeneic H-2K gene expression in tumor cells was examined in another study (G.A. Cole, et al., *Proc. Natl. Acad. Sci. USA* 84, 8613 (1987)). Several subclones which were selected *in vitro* and expressed an allogeneic gene were rejected in mice syngeneic for the parental tumor line, however, other subclones did not differ from the parental, untransduced line in generating tumors. This finding suggests that clone-to-clone variation in *in vivo* growth and tumorigenic capacity may result in other modifications of cells, caused by transfection or the subcloning procedure, which affects their tumorigenicity. These types of clonal differences may be minimized by transducing a population of cells directly *in vivo*.

#### Gene Therapy Approaches

The immune system can provide protection against cancer and may play an important role as an adjuvant treatment for malignancy. Lymphokine activated killer cells (LAK) and tumor infiltrating lymphocytes (TIL) can lyse neoplastic cells and produce partial or complete tumor rejection. Expression of cytokine genes in malignant cells has also enhanced tumor regression. Because current strategies to stimulate an immune response against tumor cells often fail to eradicate tumors, an important goal of immunotherapy is to improve upon current techniques and understand the mechanisms of immune recognition.

A model has been described for the immunotherapy of malignancy using a gene encoding a transplantation antigen, an allogeneic class I major histocompatibility complex (MHC) antigen, introduced into human tumors *in vivo* by DNA/liposome transfection (G.J. Nabel, *Hum. Gene Ther.* 3, 399 (1992); G.J. Nabel, *Hum. Gene Ther.* 3, 705 (1992)). Expression of allogeneic MHC antigens on tumor cells stimulates immunity against both the allogeneic MHC gene on transduced cells as well as previously unrecognized antigens in unmodified tumor cells (G. E. Plautz, et al., *Proc. Natl. Acad. Sci. USA* 90, 4645 (1993)). The introduction of an allogeneic MHC gene

directly into tumors *in vivo* has induced partial tumor regressions, as well as the specific cytotoxic T cell response to other antigens. In a recent trial in humans, no toxicity of this form of treatment was observed. It is an object of the present invention to optimize this gene therapy approach.

#### SUMMARY OF THE INVENTION

The invention provides a vector adapted for use in transferring into tissue or cells of an organism genetic material encoding one or more cistrons capable of expressing one or more immunogenic or therapeutic peptides, comprising one or more of the cistrons and a backbone that comprises the following elements: an origin of replication derived from pBR322; genetic material encoding a selectable marker that confers resistance to an antibiotic; a promoter operably linked to any of the cistrons, which promoter is derived from CMV or RSV LTR or RSV LTR in which a polyadenylation signal native to the RSV LTR has been mutated; and a polyadenylation signal that facilitates expression of any of the cistrons, which polyadenylation signal is derived from bovine growth hormone gene or SV40 or SV40 in which essentially all of any open reading frames native to the SV40 have been deleted; and wherein the backbone optionally further comprises one or more of the following elements: a ribosome binding site that facilitates translation of messages of any of the cistrons, which ribosome binding site is derived from EMC virus; translation initiation sequence that facilitates expression of any of the cistrons; and genetic material that facilitates splicing of transcripts of any of the cistrons.

In the vector, the genetic material that facilitates splicing may be derived from SV40 or SV40 in which essentially all of any open reading frames native to the SV40 have been deleted.

In the vector, the peptides may stimulate T-cell immunity against the tissue or cells. The peptides may comprise class I major histocompatibility complex (MHC) antigens,  $\beta$ -2 microglobulins, or cytokines. The MHC antigen may be foreign to the organism. The MHC antigen may be HLA-B7.

In the vector, DNA encoding the HLA-B7 may have an intron native to the HLA-B7 deleted.

The vector may have the nucleotide sequence set forth in SEQ ID NO:1.

The vector may have the nucleotide sequence set forth in SEQ ID NO:2.

In the vector, the transferring may occur *in vitro*. The transferring may occur *in vivo*. The *in vivo* transferring may be mediated by a catheter.

5 In the vector, the selectable marker may confer resistance to kanamycin, the promoter may be derived from RSV LTR in which a polyadenylation signal native to the RSV LTR has been mutated, and the polyadenylation signal may be derived from bovine growth hormone gene.

10 The vector may have that nucleotide sequence set forth in SEQ ID NO:1 which codes for: the origin of replication, the genetic material encoding a selectable marker, the promoter, the polyadenylation signal, the ribosome binding site, and the translation initiation sequence.

15 The vector may have a plurality of cistrons which are organized in a poly-cistronic transcription unit, wherein the selectable marker confers resistance to kanamycin, wherein the promoter, which is operably linked to the poly-cistronic transcription unit, is derived from RSV LTR in which a polyadenylation signal native to the RSV LTR has been mutated, and  
20 wherein the polyadenylation signal, which facilitates processing of the poly-cistronic transcription unit, is derived from bovine growth hormone gene.

The vector may have two cistrons which are organized in a bi-cistronic transcription unit, wherein the selectable marker confers  
25 resistance to kanamycin, wherein the promoter, which is operably linked to the bi-cistronic transcription unit, is derived from RSV LTR in which a polyadenylation signal native to the RSV LTR has been mutated, and wherein the polyadenylation signal, which facilitates processing of the bi-cistronic transcription unit, is derived from  
30 bovine growth hormone gene.

The vector may have one cistron, wherein the selectable marker confers resistance to kanamycin, wherein the promoter, which is operably linked to the cistron, is derived from RSV LTR in which a polyadenylation signal native to the RSV LTR has been mutated, and  
35 wherein the polyadenylation signal, which facilitates expression of the cistron, is derived from bovine growth hormone gene.

The invention also provides a pharmaceutical composition comprising any of the vectors given above.

40 In the pharmaceutical composition, the vector may be in association with a transfer-facilitating vehicle. The vehicle may

comprise a transfection-facilitating cationic lipid formulation. The cationic lipid formulation may be DMRIE-DOPE. The DMRIE-DOPE may have a molar ratio of 5:5. The vehicle may comprise an infection-facilitating viral vector.

5           The invention further provides a method for treating a disorder, in an organism, characterized as being responsive to the stimulation of T-cell immunity, comprising the step of transferring a vector into tissue or cells of the organism, wherein the vector comprises genetic material encoding one or more cistrons capable of  
10       expressing one or more peptides that stimulate T-cell immunity against the tissue or cells, such that the peptide or peptides are expressed resulting in the treatment of the disorder.

          In the method, the disorder may be neoplastic disease. The neoplastic disease may be melanoma cancer. The vector may comprise  
15       any of the vectors given above. The transferring may occur in vitro. The transferring may occur in vivo. The in vivo transferring may be mediated by a catheter.

          In the method, the vector may be associated with a transfer-facilitating vehicle. The vehicle may comprise a transfection-facilitating cationic lipid formulation. The cationic lipid  
20       formulation may be DMRIE-DOPE. The DMRIE-DOPE may have a molar ratio of 5:5. The vehicle may comprise an infection-facilitating viral vector.

          The invention moreover provides a DNA cassette adapted for use  
25       in transferring into tissue or cells of an organism genetic material encoding one or more cistrons capable of expressing one or more immunogenic or therapeutic peptides or polypeptides, comprising the following elements: an origin of replication derived from pBR322; genetic material encoding a selectable marker that confers  
30       resistance to an antibiotic; a promoter operably linked to any of the cistrons, which promoter is derived from CMV or RSV LTR or RSV LTR in which a polyadenylation signal native to the RSV LTR has been mutated; and a polyadenylation signal that facilitates expression of any of the cistrons, which polyadenylation signal is derived from  
35       bovine growth hormone gene or SV40 or SV40 in which essentially all of any open reading frames native to the SV40 have been deleted; and wherein the DNA cassette optionally further comprises one or more of the following elements: a ribosome binding site that facilitates translation of messages of any of the cistrons, which ribosome  
40       binding site is derived from EMC virus; translation initiation

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sequence that facilitates expression of any of the cistrons; and genetic material that facilitates splicing of transcripts of any of the cistrons.

5 In the DNA cassette, the genetic material that facilitates splicing may be derived from SV40 or SV40 in which essentially all of any open reading frames native to the SV40 have been deleted.

10 In the DNA cassette, the selectable marker may confer resistance to kanamycin, the promoter may be derived from RSV LTR in which a polyadenylation signal native to the RSV LTR has been mutated, and the polyadenylation signal may be derived from bovine growth hormone gene.

15 The DNA cassette may have that nucleotide sequence set forth in SEQ ID NO:1 which codes for: the origin of replication, the genetic material encoding a selectable marker, the promoter, the polyadenylation signal, the ribosome binding site, and the translation initiation sequence.

20 The DNA cassette may have a plurality of cistrons which are organized in a poly-cistronic transcription unit, wherein the selectable marker confers resistance to kanamycin, wherein the promoter, which is operably linked to the polycistronic transcription unit, is derived from RSV LTR in which a polyadenylation signal native to the RSV LTR has been mutated, and wherein the polyadenylation signal, which facilitates processing of the poly-cistronic transcription unit, is derived from bovine growth hormone gene.

25 The DNA cassette may have two cistrons which are organized in a bi-cistronic transcription unit, wherein the selectable marker confers resistance to kanamycin, wherein the promoter, which is operably linked to the bi-cistronic transcription unit, is derived from RSV LTR in which a polyadenylation signal native to the RSV LTR has been mutated, and wherein the polyadenylation signal, which facilitates processing of the bi-cistronic transcription unit, is derived from bovine growth hormone gene.

30 The DNA cassette may have one cistron, wherein the selectable marker confers resistance to kanamycin, wherein the promoter, which is operably linked to the cistron, is derived from RSV LTR in which a polyadenylation signal native to the RSV LTR has been mutated, and wherein the polyadenylation signal, which facilitates expression of the cistron, is derived from bovine growth hormone gene.

40 The invention additionally provides a recombinant expression

system comprising a host organism and a genetic construct having an origin of replication derived from pBR322; genetic material encoding a selectable marker that confers resistance to an antibiotic; one or more cistrons organized in a poly-cistronic, bi-cistronic, or uni-cistronic transcription unit, a promoter operably linked to the transcription unit which promoter is derived from CMV or RSV LTR or RSV LTR in which a polyadenylation signal native to the RSV LTR has been mutated, and a polyadenylation signal that facilitates processing of the transcription unit which polyadenylation signal is derived from bovine growth hormone gene or SV40 or SV40 in which essentially all of any open reading frames native to the SV40 have been deleted; and wherein the recombinant expression system optionally comprises one or more of the following elements: a ribosome binding site that facilitates translation of messages of any of the cistrons internal to the transcription unit which ribosome binding site is derived from EMC virus; translation initiation sequence that facilitates expression of any of the cistrons; and intron sequence that facilitates splicing of transcripts of any of the cistrons. In the recombinant expression system, the host organism may be a human.

#### DESCRIPTION OF THE PREFERRED EMBODIMENTS

The present invention relates to transfer of a human transplantation antigen to treat malignancy. It includes (1) modifications in vector design which enhance expression *in vivo*; (2) development of a more efficacious cationic liposome and other vehicles to improve efficiency of gene delivery; (3) optimization of gene delivery; and (4) application to different tumor cell types.

The anti-tumor immune response may be augmented by preimmunization and administration of cytokines, including tumor necrosis factor- $\alpha$ , interferon- $\gamma$ , or interleukin-2, or used in combination with adoptive transfer or TIL therapy. The present invention provides an alternative strategy for the immunotherapy of malignancy and optimized vectors for use in such treatment. Adaptations of this method may also be applied to the treatment of other human diseases.

#### **Vector Modifications**

Vectors are provided that contain some or all of the modifications described herein designed to improve their efficacy and safety. Two such vectors are plasmids having the sequences set forth in SEQ ID NO:1 and SEQ ID NO:2. Additionally, the features

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characterizing these two vectors are summarized in Tables 1 and 2 *infra*. Moreover, the preparation of these two vectors is exemplified in Examples 1 and 2; other methods of preparation are known to those in the art.

5

TABLE 1

pHLA-B7/beta-2 microglobulin plasmid expression vector

FEATURES	FROM	TO	DESCRIPTION
regulatory region	1	529	RSV 3' LTR Promoter
HLA-B7 heavy chain	535	1853	cDNA sequence
HLA-B7 coding sequence	535	1620	open reading frame
HLA-B7 signal peptide	535	606	predicted signal pep.
HLA-B7 mature peptide	607	1620	based on pred. pep.
synthetic linker	1854	1888	
EMCV internal ribosome entry	1889	2479	CAP independent translational enhancer
HLA-B7 light chain	2480	2846	$\beta$ -2 microglobulin cDNA
light chain coding sequence	2480	2836	open reading frame
synthetic linker	2847	2870	
BGH 3' UTR and terminator	2871	3111	BGH transcription term. and poly A signal seq.
synthetic linker	3112	3151	
kanamycin resis- tance gene	3152	4013	Tn 903
pBR322	4014	4965	bacterial plasmid and prokaryotic ori. of rep.

50

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TABLE 2

pHLA-B7 plasmid expression vector				
	FEATURES	FROM	TO	DESCRIPTION
5	pBR322	1	354	bacterial plasmid and prokaryotic ori. of rep.
10	kanamycin resistance gene	355	1170	Tn 903
	poly A signal seq.	1410	1177	SV40
15	intron	1560	1412	SV40 small t intron
	HLA-B7 heavy chain	2880	1561	cDNA sequence
20	HLA-B7 3' UTR	1794	1561	3' UTR region
25	HLA-B7 coding seq.	2880	1795	open reading frame
	regulatory region	3415	2886	RSV 3' LTR promoter
30	pBR322	3416	4059	bacterial plasmid

35 The optimization of the vectors includes the incorporation of sequences encoding appropriate peptides and the tailoring of sites to maximize gene expression. A peptide is understood to be any translation product regardless of size, and whether or not post-translationally modified, as, for example, in glycosylation and phosphorylation.

40 In one experiment, the expression of HLA-B7 has been observed to be improved by the removal of a native intron and the addition of a consensus translation initiation sequence. See Example 3.

45 In another experiment, the inclusion of the  $\beta$ -2 microglobulin gene on the same vector as that encoding a class I MHC gene has been studied for synthesis of the complete histocompatibility molecule, which is composed of these two gene products. Ordinarily, these two chains are co-transported to the cell surface. Some human cancer cells do not express endogenous  $\beta$ -2 microglobulin, thus limiting their ability to stably express class I on the cell surface. We



have found that the inclusion of the  $\beta$ -2 microglobulin gene on the same plasmid allows for expression in these otherwise resistant cells and improves expression in other cells, thus overcoming a potential mechanism of resistance. See Example 4.

5           A further modification of the vectors involves the expression of a cytokine gene in addition to class I MHC and  $\beta$ -2 microglobulin. The elaboration of cytokines such as IL-2 or GM-CSF could further stimulate T cell immunity against tumors locally and improve recognition of tumor-associated antigens. In experimental animal  
10       models, the introduction of IL-2 has allowed for improved anti-tumor efficacy (E. R. Fearon, et al., Cell 60, 397 (1990)). See Example 5.

          Accordingly, in one embodiment of the invention, vectors are provided which are derived from viruses, and in a preferred  
15       embodiment, they are derived from bacterial plasmids. Plasmid vectors are likely to be at least as safe as standard viral vectors, as they will not be introduced into a packaging cell line thus precluding incorporation of other recombinant gene products into the delivery vehicle. Additionally, plasmid vectors may even be safer,  
20       since the delivery vehicle is unlikely to be inserted into the host genome hence reducing the potential for insertional mutagenesis. Moreover, cells which express genes encoding foreign histocompatibility antigens are to be eliminated by the host's immune system after several weeks *in situ*, minimizing any concerns  
25       regarding persistent expression of implanted genes *in vivo*. To maximize safety concerns, immunomodulating agents such as cytokines are preferably included on the same transcript as MHC antigens, linking the expression of the cytokine gene to expression of the foreign histocompatibility antigen, thus ensuring only transient  
30       expression of other exogenous sequences.

          Optimization of plasmid vectors may be directed at any of the various stages in the life cycle of the plasmid, both in culture and in the animal, and both during transcription of genes and translation into peptides. In one embodiment of the invention,  
35       plasmid DNA is grown in a standard *E. coli* host strain, such as DH5 $\alpha$ , DH10B, HB101, JM109, or XL1-Blue, until the final preparation for use in, for example, patients. Introduction of the plasmid DNA into the *E. coli* host cell is achieved, by, for instance, calcium chloride transfection or electroporation, where the plasmid  
40       replicates in an extrachromosomal form. Thus, in this embodiment,

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the plasmid contains an origin of replication that facilitates DNA synthesis in prokaryotes. (Other origins of replication that facilitate DNA synthesis in eukaryotes are contemplated in other embodiments wherein, for example, the vector is propagated in eukaryotic cells.) Such origins of replication suitable for growth in prokaryotes include, for example, those found on plasmid pBR322, plasmid ColE1, and pUC based plasmids. Applicants prefer the origin the replication derived from pBR322.

In another embodiment of the invention, vectors are provided that possess the ability to confer a readily selectable phenotypic trait on host cells that is used to select transformants. In a preferred embodiment, the selectable marker confers antibiotic resistance. Antibiotics, however, may cause adverse reactions in, for example, patients who may be exposed to residual amounts during the course of gene therapy. An antibiotic such as ampicillin is found, for instance, to precipitate anaphylactic shock and other allergic reactions when administered to those who are susceptible. Ampicillin also tends to decompose in culture, rendering it unsuitable for the selection of transformants. To preclude the loss of plasmids during in vitro propagation, wasteful amounts of ampicillin are inclined to be used. Accordingly, in this preferred embodiment, the selectable marker most preferred confers resistance to an antibiotic that is safe and cheap to use. Such antibiotics include neomycin, tetracycline, geneticin, chloramphenicol, spectinomycin, streptomycin, hygromycin, and kanamycin, which is especially preferred.

Recombinant gene expression depends upon transcription of the appropriate gene and efficient translation of the message. A failure to perform correctly either one of these processes can result in the failure of a given gene to be expressed. Transcription of a cloned insert requires the presence of a promoter recognized by the host RNA polymerase. Hence, in another embodiment of the invention, vectors are provided that incorporate promoter sequences for interaction with RNA polymerases to initiate transcription of cloned genes. In a preferred embodiment, the promoters interact with eukaryotic RNA polymerases. Such promoters include CMV immediate early, HSV thymidine kinase, early and late SV40, LTRs from retrovirus, and mouse metallothionein-I. CMV and Rous Sarcoma Virus long terminal repeat (RSV LTR) are preferred.

Efficient translation requires that the mRNA bear a ribosome

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binding site. In yet another embodiment of the invention, ribosome binding sites are introduced into the vectors so as to produce efficient translation of expressed transcripts. In eukaryotes, which do not put multiple cistrons under control of a single promoter and transcribe them as a single message, expression of polycistrons is a problem. For polycistronic plasmids, it is preferred, therefore, that the ribosome binding site be derived from encephalomyocarditis (EMC) virus. This site is incorporated into the vector where it can function as an internal entry point for initiation of translation by eukaryotic ribosomes.

Translational efficiency has been found to be regulated by specific sequence elements in the 5' non-coding or untranslated region (5'UTR) of the RNA. Positive sequence motifs include the translational initiation consensus sequence (GCC)<sup>^</sup>CCATGG (Kozak, Nucleic Acids Res. 15:8125 (1987)) and the 5' 7 methyl GpppG cap structure (Drummond et al., Nucleic Acids Res. 13:7375 (1985)). Negative elements include stable intramolecular 5' UTR stem-loop structures (Muesing et al., Cell 48:691 (1987)) and AUG sequences or short open reading frames preceded by an appropriate AUG in the 5' UTR (Kozak, supra, Rao et al., Mol. and Cell. Biol. 8:284 (1988)). Vectors that feature positive sequence motifs facilitating translation and wherein negative elements have been eliminated are provided in another embodiment of the invention. Preferred, in this regard, is the Kozak consensus translation initiation sequence, especially the sequence "CACCATGG." Also preferred is the RSV LTR supra, wherein an inappropriate poly A addition sequence has been altered, to preclude a negative effect on gene expression.

In addition to transcription and translation concerns, mRNA stability must be considered. As a general statement, capping and 3' polyadenylation are the major positive determinants of mRNA stability (Drummond et al., Nucleic Acids Res. 13:7375 (1985); Ross, Mol. Biol. Med. 5:1(1988)) and function to protect the 5' and 3' ends, respectively, of the mRNA from degradation. Other regulatory elements which affect the stability of mRNAs have also been defined. The most notable and clearly defined of these are the uridine rich 3' untranslated region (3' UTR) destabilizer sequences found in many short half-life mRNAs (Shaw and Kamen, Cell 46:659 (1986)), although there is evidence that these are not the only sequence motifs which result in mRNA destabilization (Kabnick and Housman, Mol. and Cell. Biol. 8:3244 (1988)). Vectors designed to circumvent

destabilization of mRNAs are provided in another embodiment of the invention, wherein, for example, they include 3' untranslated regions native to cloned genes. Vectors incorporating positive determinants of mRNA stability are also provided, which  
5 determinants preferably constitute poly A addition sequences. Polyadenylation sites derived from non-viral sources are preferred to avoid contamination with viral gene products; for example, bovine growth hormone gene derived poly A addition sequence is preferred. Also expressly contemplated and preferred are viral sources of poly  
10 A signals, such as SV40, where essentially all of any open reading frames encoding viral proteins contained therein have been deleted.

Gene expression may also be mediated by intron sequences. Such sites may underlie RNA processing in the nucleus and subsequent transport of mRNAs to the cytoplasm for translation. Such introns  
15 seem to function by facilitating splicing of expressed transcripts. According to another embodiment of the invention, vectors are optimized by inclusion of introns that facilitate splicing. A preferred intron is derived from SV40, wherein essentially all of any open reading frames have been deleted to obviate contamination  
20 with viral gene products. In this same regard, vectors may also be optimized by deletion of introns. In a preferred embodiment of the invention, the cDNA encoding HLA-B7 is rid of a native intron resulting in enhanced gene expression.

The optimized vectors provided herein may operate as cassettes  
25 in which cistrons or polycistrons of interest are substituted for acting cistrons or polycistrons whose expression is no longer desired.

#### **pHLA-B7/β-2 Microglobulin Plasmid**

The pHLA-B7/β-2 m. plasmid expression vector is a covalently  
30 closed circular DNA macromolecule that may be biosynthesized in bacterial cells grown in a selection media requiring the expression of the kanamycin resistance protein.

In addition to the kanamycin resistance gene, the plasmid DNA encodes the heavy (human HLAB7) and light (β-2 microglobulin)  
35 proteins of a Class 1 Major Histocompatibility Complex (MHC) antigen. The plasmid is designed to express these two proteins via a bi-cistronic mRNA in eukaryotic cells. Initiation of transcription of the mRNA is dependent on a Rous Sarcoma Virus promoter sequence derived from the 3' Long Terminal Repeat.  
40 Termination of transcription is dependent upon the polyadenylation

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signal sequence derived from the bovine growth hormone gene. Eukaryotic cell translation of the heavy chain is regulated by the 5' cap-dependent protein start site. Translation of the light chain is controlled by a Cap Independent Translational Enhancer (CITE) sequence derived from the Encephalomyocarditis Virus. Finally, replication of the plasmid in bacterial cells is controlled by the presence of a bacterial origin of replication. There are no other significant open reading frames nor any known oncogenic sequences.

The plasmid has been characterized by DNA sequence analysis (SEQ ID NO.1). It is 4965 bp in size, with a base composition of 2335 adenines, 2630 cytosines, 2630 guanines, and 2335 thymines. This results in a molecular weight of  $3.298437 \times 10^6$  g.m.u.

The pHLA-B7/ $\beta$ -2 m. plasmid may be constructed using independent segments of DNA cloned into a high copy number bacterial plasmid DNA. The plasmid components function to facilitate high levels of replication in bacterial cells, express a dominate selectable resistance protein during bacterial cell culture, and, when introduced into eukaryotic cells, effect a high level of expression of the two Class I MHC component proteins, HLA-B7 and  $\beta$ -2 microglobulin.

The backbone plasmid DNA is derived from pBR322, a vector widely used in molecular biology laboratories and whose origin of replication was taken from the naturally occurring bacterial plasmid, ColE1 (Bolivar, R., et al., Gene 2, 95 (1977)). This 952 bp fragment of pBR322 used in the plasmid represents the region from pBR322 base number 2244 (Acc 1 restriction endonuclease site; blunt ended) to base number 3193 (Bsp H1 restriction endonuclease site), using the unique Eco R1 restriction endonuclease site as pBR322 base 1. This backbone plasmid fragment is found between base number 4014 and 4965 of pHLA-B7/ $\beta$ -2 m. plasmid and comprises a bacterial origin of replication. It does not contain any open reading frames known to be expressed in either bacterial or animal cells.

Eukaryotic gene expression is regulated by the Avian Rous Sarcoma Virus (RSV) 3' Long Terminal Repeat (LTR) promoter sequence. This sequence was derived from the Schmidt-Ruppin strain of RSV (Swanstrom, R., et al., Proc. Nat'l Acad. Sci. U.S.A. 78, 124 (1981)) and was cloned by isolating DNA bounded by the Pvu II site at viral base number 8673 and the Bfa I site at viral base number 9146. The use of this promoter sequence to regulate the expression of heterologous genes in eukaryotic cells was described more than

10 years ago by Gorman, C., et al. (*Proc. Nat'l. Acad. Sci. U.S.A.* 79, 6777 (1982)). The RSV DNA fragment used in the construction of the pHLA-B7/ $\beta$ -2 m. plasmid was taken from the pRSV $\beta$ -globin (Gorman, C., et al., *Science* 221, 551 (1983)). Although this regulatory sequence is found in an avian retrovirus, this 3' LTR has been tested and shown to have no intrinsic oncogenic activity in either avian or mammalian cells (Westphal, C., et al., *Cold Spring Harbor Symp. Quant. Biol.* 50, 411 (1985); Mahon, M., et al., *Proc. Nat'l. Acad. Sci. U.S.A.* 85, 1165 (1988); Overbeek, U., et al., *Science* 231, 1574 (1986)). The RSV LTR promoter domain in pHLA-B7/ $\beta$ -2 m. plasmid represents base pairs 1 through 529. This includes a 56 base pair region of chemically synthesized oligonucleotide DNA which modifies this regulatory sequence to effect a higher level of eukaryotic cell expression of the down stream coding sequences. The oligonucleotide removes a polyadenylation signal sequence (i.e. AATAAA with TCTAGA, an Xba I restriction endonuclease site) originally found in the RSV DNA sequence. It also introduces a strong translational signal sequence (Kozak, M., et al.) proximal to the translational initiating codon, A<sup>535</sup>TG. Moreover, this synthetic oligonucleotide was also used to incorporate a number of restriction endonuclease sites (i.e., Sal I, Hind III, and Nco I) to facilitate subcloning of both 5' and 3' DNA elements.

The coding sequences for human HLA-B7 and  $\beta$ -2 microglobulin proteins are located 3' to the RSV LTR described above. While the two genes for these proteins are located at separate locations within the human genome, the expression of the genes and assembly of the two proteins appears to be interdependent. Therefore, in order to foster a high level of expression and assembly of the correct surface HLA antigen in a heterologous expression system, the two cDNA sequences have been cloned proximal to each other and 3' to the RSV promoter. Transcription of both sequences occurs via a single, bi-cistronic mRNA molecule is initiated by the RSV promoter domain and terminated by the distal bovine growth hormone transcriptional terminator/polyadenylation signal sequence. Translation of this bi-cistronic mRNA is affected by both CAP dependent (for HLA-B7) and CAP independent ( $\beta$ -2 microglobulin) ribosome recognition sequences. The CAP independent signal is taken from the murine encephalomyocarditis (EMC) virus genome and is cloned between the HLA-B7 heavy and light chains coding sequences and as part of the bicistronic mRNA.

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The HLA-B7 cDNA sequence was isolated from a human B lymphocyte cDNA library and is close to the sequence found in GENBANK (HUMMHB7A). Moreover, it has been shown to induce an immune response characteristic of a foreign class I major histocompatibility complex antigen (Nabel, E., et al., *Proc. Nat'l Acad. Sci. U.S.A.* 89, 5157 (1992)). The cDNA sequence begins with the A<sup>535</sup>TG (within an Nco I restriction endonuclease site) and ends at base number 1853. The open reading frame from (i.e. A<sup>535</sup>TG to T<sup>1621</sup>GA) within this sequence encodes a protein with a predicted molecular weight of 44,200. The remaining 230 base pairs represent a portion of the 3' untranslated mRNA sequence.

The sequence from base pair 1854 to 1888 is a portion of a multiple cloning site originally derived from a synthetic oligonucleotide. It forms a junction between the HLA-B7 sequence and the murine encephalomyocarditis CAP-Independent Translational Enhancer (EMCV-CITE) sequence and has been used to facilitate subcloning of both upstream and downstream sequences.

The 588 bp EMCV-CITE sequence is taken from a portion of the 5' region (255 to 843) of cloned EMCV genomic DNA (Duke, G., et al., *J. Virology* 66, 1602 (1992)). It is a non-coding regulatory sequence which functions as an internal entry point for the eukaryotic ribosomal subunits when located within a mRNA molecule. Therefore, it enables the translational start codon (A<sup>2480</sup>TG) of  $\beta$ -2 microglobulin, downstream of the HLA-B7 stop codon on this bicistronic mRNA, to be recognized by the ribosome (Parks, G., et al., *J. Virology* 60, 376 (1986)).

The partial cDNA sequence for the human  $\beta$ -2 microglobulin (the light chain of the class I MHC heteroduplex surface antigen) was originally published by Suggs, S. et al., *Proc. Nat'l Acad. Sci. U.S.A.* 78, 6613 (1981). Subsequent work by Alejandro Madrigal (Stanford University Medical School, Palo Alto, CA) has shown that the chimpanzee  $\beta$ -2 microglobulin cDNA differs by only 4 bases from the human sequence and encodes an homologous  $\beta$ -2 microglobulin protein. Consequently the chimpanzee cDNA was used in the DNA construct. The  $\beta$ -2 microglobulin open reading frame begins, as stated above, at A<sup>2480</sup>TG and ends at T<sup>2837</sup>AA. 10 bases of the chimpanzee 3' untranslated domain remain downstream of this open reading frame prior to splicing of the sequence to a heterologous 3' untranslated, transcriptional termination and polyadenylation signal sequences derived from the bovine growth hormone gene.

Splicing at this junction is carried out using a synthetic oligonucleotide (pHLA-B7/ $\beta$ -2 m. plasmid base pairs 2847 to 2870) recognized by both Hind III and Bam HI restriction endonucleases.

Base pairs 2871 to 3111 are derived from the bovine growth hormone (bgh) gene (Gordon, et al., *Mol. Cell. Endocrinology* 33, 81 (1983)). It begins at a blunt-ended Bgl II site within the 3' untranslated region of the mRNA coding sequence and extends to a point approximately 110-115 bases beyond the point of transcriptional termination and polyadenylation. There is a polyadenylation signal sequence (A<sup>2979</sup>ATAAA) located within this domain. The 39 base pairs located between 3112 to 3151 represent a synthetic oligonucleotide fragment to facilitate cloning.

The final domain of pHLA-B7/ $\beta$ -2 m. plasmid comprises the bacterially expressed kanamycin resistance (kanamycin<sup>r</sup>) gene sequence. The gene is taken from the transposable element Tn903 which has been fully characterized (Oka, A., et al., *J. Mol. Biol.* 147, 217 (1981)) and shown to confer drug resistance through the expression of a 30,7000 M.W. aminoglycoside 3'-phosphotransferase protein (Berg, D. et al., (1978) In *Microbiology-1978* (Schlessinger, D. ed.] pp 13-15 American Society, for Microbiology, Washington, D.C.). The kanamycin<sup>r</sup> coding sequence is located on the strand opposite to that encoding the eukaryotic HLA-B7 and  $\beta$ -2 microglobulin sequences and is therefore read in the opposite direction from the eukaryotic genes. The open reading frame for kanamycin<sup>r</sup> begins at A<sup>3967</sup>TG and ends at T<sup>3154</sup>AA. This sequence was cloned from a plasmid PET9a, a commercially available plasmid from Novagen, Inc. (Madison, Wisconsin).

#### Cationic Liposomes and Vehicles for Gene Delivery

The transfer of the optimized vectors provided herein into cells or tissues of organisms may be accomplished by injecting naked DNA or facilitated by using vehicles, such as, for example, viral vectors, ligand-DNA conjugates, adenovirus-ligand-DNA conjugates, calcium phosphate, and liposomes. Transfer procedures are art-known, such as, for example, transfection methods using liposomes and infection protocols using viral vectors, including retrovirus vectors, adenovirus vectors, adeno-associated virus vectors, herpes virus vectors, vaccinia virus vectors, polio virus vectors, and sindbis and other RNA virus vectors.

According to one embodiment of the invention, the vectors provided herein are complexed with cationic liposomes or lipid



vesicles. Cationic or positively charged liposomes are formulations of cationic lipids (CLs) in combination with other lipids. The formulations may be prepared from a mixture of positively charged lipids, negatively charged lipids, neutral lipids and cholesterol or a similar sterol. The positively charged lipid can be one of the cationic lipids, such as DMRIE, described in U.S. Application Serial No. 07/686,746, which is hereby incorporated by reference, or one of the cationic lipids DOTMA, DOTAP, or analogues thereof, or a combination of these. DMRIE is 1,2-dimyristyloxypropyl-3-dimethylhydroxyethyl ammonium bromide (see, e.g., J. Felgner, et al., *J. Biol. Chem.*, 269, 1 (1994)) and is preferred.

Neutral and negatively charged lipids can be any of the natural or synthetic phospholipids or mono-, di-, or triacylglycerols. The natural phospholipids may be derived from animal and plant sources, such as phosphatidylcholine, phosphatidylethanolamine, sphingomyelin, phosphatidylserine, or phosphatidylinositol. Synthetic phospholipids may be those having identical fatty acid groups, including, but not limited to, dimyristoylphosphatidylcholine, dioleoylphosphatidylcholine, dipalmitoylphosphatidylcholine, distearoylphosphatidylcholine and the corresponding synthetic phosphatidylethanolamines and phosphatidylglycerols. The neutral lipid can be phosphatidylcholine, cardiolipin, phosphatidylethanolamine, mono-, di- or triacylglycerols, or analogues thereof, such as dioleoylphosphatidylethanolamine (DOPE), which is preferred. The negatively charged lipid can be phosphatidylglycerol, phosphatidic acid or a similar phospholipid analog. Other additives such as cholesterol, glycolipids, fatty acids, sphingolipids, prostaglandins, gangliosides, neobee, niosomes, or any other natural or synthetic amphophiles can also be used in liposome formulations, as is conventionally known for the preparation of liposomes.

Substitution of the cationic lipid component of liposomes can alter transfection efficiencies. Specifically, modification of the cationic species appears to be an important determinant in this process. A new formulation of cationic lipids is preferred in which a different cationic lipid, 1,2-dimyristyloxypropyl-3-dimethylhydroxyethyl ammonium bromide (DMRIE), is utilized with dioleoyl phosphatidylethanolamine (DOPE). This formulation has two properties which make it more suitable for transfections. First, it shows up to ~7-fold increase in improved transfection efficiency

compared to the formulation DC-cholesterol/DOPE *in vitro*. See Example 6.

Importantly, this DMRIE/DOPE formulation does not aggregate at high concentrations, in contrast to the DC-Chol liposome. This characteristic thus allows higher absolute concentrations of DNA and liposomes to be introduced into experimental animals without toxicity. See Example 7. Because of these properties, it now becomes possible to introduce 100-1000 times more DNA which could markedly improve gene expression *in vivo*. See Example 8.

A preferred molar ratio of DMRIE to DOPE is from about 9/1 to 1/9; a molar ratio of about 5/5 is particularly preferred.

Using conventional cationic lipid technology and methods, the lipid compositions can be used to facilitate the intracellular delivery of genetic material coding for therapeutically or immunogenically active peptides. Briefly, such methods include the steps of preparing lipid vesicles composed of cationic lipids and using these lipid vesicles to mediate the transfection or transport of therapeutically or immunogenically active agents into the cells. The intracellular transport may be accomplished by incorporating or encapsulating the agent in the lipid vesicle and contacting the cell with the lipid vesicles, as in conventional liposome methodology; or alternatively, by contacting the cells simultaneously with empty lipid vesicles, comprising the cationic lipid formulations together with the agent, according to conventional transfection methodology. In the process of either strategy, the agent is taken up by the cell. The contacting step may occur *in vitro* or *in vivo*.

Such methods may be applied in the treatment of a disorder in an organism, comprising the step of administering a preparation comprising a cationic lipid formulation together with a pharmaceutically effective amount of a therapeutically active agent specific for the treatment of the disorder in the organism and permitting the agent to be incorporated into a cell, whereby the disorder is effectively treated. The agent may be delivered to the cells of the organism *in vitro* or *in vivo*. The *in vitro* delivery of an agent is carried out on cells that have been removed from an organism. The cells are returned to the body of the organism whereby the organism is treated. In contrast, *in vivo* delivery involves direct transduction of cells within the body of the organism to effect treatment. Cationic lipid mediated delivery of vectors encoding therapeutic agents can thus provide therapy for

genetic disease by supplying deficient or missing gene products to treat any disease in which the defective gene or its product has been identified, such as Duchenne's dystrophy (Kunkel, L. and Hoffman, E. Brit. Med. Bull. 45(3):630-643 (1989)) and cystic fibrosis (Goodfellow, P. Nature, 341(6238):102-3 (Sept. 14, 1989)).

The cationic lipid mediated intracellular delivery described can also provide immunizing peptides. The above transfection procedures may be applied by direct injection of cationic lipid formulations together with a vector coding for an immunogen into cells of an animal *in vivo* or transfection of cells of an animal *in vitro* with subsequent reintroduction of the transduced cells into the animal. The ability to transfect cells with cationic lipids thus provides an alternate method for immunization. The gene for an antigen is introduced, by means of cationic lipid-mediated delivery, into cells of an animal. The transfected cells, expressing the antigen, are reinjected into the animal or already reside within the animal, where the immune system can respond to the antigen. The process can be enhanced by co-administration of either an adjuvant or cytokines such as lymphokines, or a gene coding for such adjuvants or cytokines or lymphokines, to further stimulate the lymphoid cells and other cells mediating the immune response.

Administration to patients diagnosed with neoplastic disease of DNA liposome complexes for the treatment of neoplasia involves, preferably, intratumoral injection, by needle and syringe or by catheter (see *infra*), of the complexes. Plasmid DNA in an amount ranging from about 0.1 microgram to about 5 g is administered in from about 0.15 nanoMolar to about 1.5 milliMolar liposome solution. In a preferred protocol, 0.1 ml of plasmid DNA (0.05 - 50 mg/ml) in lactated Ringer's solution is added to 0.1 ml of DMRIE/DOPE liposome solution (0.15 - 15 microMolar), and 0.8 ml of lactated Ringer's solution is added to the liposome DNA solution. In this preferred protocol, three aliquots of 0.2 ml each are injected into a nodule or one aliquot of 0.6 ml is applied by catheter. The patient, in this preferred protocol, is thus administered a dose ranging from about 3 microgram to about 3 milligram of DNA and from about 4.5 nanoMolar to about 4.5 microMolar DMRIE/DOPE. Doses are repeated at two-week intervals.

Optimal transfection parameters relating to such aspects as toxicity and composition may be identified by comparing the effectiveness of DNA/cationic lipid formulations in transfecting

cells using the 96-well microtiter plate assay which is set forth in Example 12 and has been described in detail elsewhere (e.g., Felgner, J.H. and Felgner P.L., "Lipofection," Protocols in Cell & Tissue Culture, 1993, John Wiley & Sons) and may be confirmed in experimental animals prior to administration to patients. See, also, Example 14.

#### Catheter Based Gene Therapy

In a preferred embodiment of the invention, direct gene transfer into target cells, such as tumor cells, *in situ* is employed as a method to optimize the delivery of genes *in vivo*. Traditionally, gene transfer techniques have focused on modification of target cells *in vitro*, followed by transfer of modified cells. Such approaches subject these cells to selection and different growth conditions from those which act *in vivo*. Because they also require that cell lines be established for each application, adaptability to human disease is more difficult and requires more time.

It is preferred to deliver recombinant genes through direct intracellular injection and, more preferably, by the use of a catheter. Catheters have been used to introduce recombinant genes *in vivo* ( see, e.g., E.G. Nabel, et al., *Proc. Natl. Acad. Sci. USA* 89, 5157 (1992); E.G. Nabel, et al., *Science* 249, 1285 (1990); E.G. Nabel, et al., *Science* 244, 1342 (1989); E.G. Nabel, et al., *J. Clin. Invest.* 91, 1822 (1993); G. Plautz, et al., *Circ.* 83, 578 (1991); E. Nabel, et al., *Nature* 362, 844 (1993)). A catheter was utilized in a human clinical trial for one patient with a pulmonary metastases in a protocol directed to the treatment of melanoma disease using gene therapy. Treatment by catheter was well-tolerated by the patient. No complications or toxicities were noted (see Example 13). Compared to intratumoral injection, this intervention provides the ability to transduce a larger percentage of cells within the tumor microcirculation in order to achieve greater efficacy of gene expression, at the same time minimizing the potential for inadvertent microscopic seeding of tumor cells to distant sites.

In the aforementioned patient, the gene was delivered through the pulmonary artery which does not directly perfuse the tumor with oxygenated blood. One may, alternatively, introduce the gene through feeding arteries. For example, the hepatic artery may be used to deliver DNA liposome complexes to either primary or

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secondary tumors metastatic to the liver.

Because this approach employs direct gene transfer *in vivo*, it can be applied easily in a clinical setting to spontaneously arising tumors, alone or in combination with cytokines or other adjuvant treatments, including adoptive lymphocyte transfer, to augment tumor immunity.

#### Expression in Different Tumor Cell Types *in vivo*

It was previously shown that the HLA-B7 gene can be expressed in a few different tumor cells *in vivo* (G.E. Plautz, et al., *Proc. Natl. Acad. Sci. USA* 90, 4645 (1993)). Our data suggests that successful expression of HLA-B7 and  $\beta$ -2 microglobulin gene can be obtained in human melanoma (see Example 4). Thus, according to an embodiment of the invention, treatment of human melanoma disease is provided. Also provided are treatments of other human cancers, for example, colon carcinoma, renal cell carcinoma, breast adenocarcinoma, hepatoma, lung carcinoma and pancreatic carcinoma.

Particular aspects of the invention may be more readily understood by reference to the following examples, which are intended to exemplify the invention, without limiting its scope to the particular exemplified embodiments.

#### EXAMPLE 1

##### Preparation of HLA-B7 & $\beta$ -2 Microglobulin Containing Plasmid

A vector for the expression of HLA-B7 and  $\beta$ -2 microglobulin was constructed by a series of steps. The starting construct was the plasmid RSV  $\beta$ -globin (C. Gorman, et al., *Science* 221, 551 (1983) and C. Gorman, et al., *Mol. Cell. Biol.* 2, 1044 (1982) ) in which the HLA-B7 gene cDNA was to be inserted. The RSV  $\beta$ -globin plasmid was composed of the ampicillin-resistance cistron and the origin of replication from plasmid pBR322 joined to a hybrid eukaryotic transcription unit. The transcription unit in this plasmid was constructed of the RSV LTR promoter, rabbit  $\beta$ -globin coding sequence, and SV40 mRNA processing signals, including the small-t intron and early region polyadenylation site. The  $\beta$ -globin gene was removed from the plasmid by digestion with Hind III and Bgl II. After treatment with calf intestinal phosphatase (CIP) and Klenow fragment of DNA polymerase, the backbone was used to insert a Bam HI to Sal I fragment of HLA-B7 treated with Klenow enzyme. The fragment had been obtained from the pLJ HLA-B7 vector (E.G. Nabel,

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et al., *Proc. Natl. Acad. Sci. USA* 89, 5157 (1992)).

The resultant RSV HLA-B7 plasmid was improved by the removal of an intron in the HLA-B7 coding sequence. Removal of the intron resulted in higher expression levels in transient transfection assays of cultured cells. Site directed mutagenesis was accomplished by way of the oligonucleotide-directed gap heteroduplex technique (G. Nabel, D. Baltimore, *Nature* 326: 711 (1987)). Oligonucleotides having the sequence 5'-CCG AGA CCT GGG CCG GCT CCC (bases 593-613 of SEQ ID NO.1) and ACT CCA TGA G-3' were employed. The plasmid RSV HLA-B7 (intron-less) was further modified as follows.

A "Kozak" consensus translation initiation sequence (Kozak, *Nucleic Acids Res.* 15: 8125 (1987)) was added to increase translation efficiency of the HLA-B7 message. Again, the oligonucleotide-directed gap heteroduplex technique was utilized. The Kozak sequence "CACCC" was inserted 5' to the initiation codon by the use of oligonucleotides having the sequence 5'-CAC CTC CAA GCT TCA CCA TGG (bases 518-538 of SEQ ID NO.1) and TGG TCA TGG CGC-3' (bases 539-550 of SEQ ID NO.1). The product was called RSV HLA-B7(K).

In order to make the vector bicistronic, so that  $\beta$ -2 microglobulin peptide would be expressed in addition to HLA-B7 antigen, it was necessary to include an internal ribosome initiation site to permit translation of the second message. Towards this end, a fragment containing such a site derived from encephalomyocarditis (EMC) virus was removed from pCITE-1, procured from Novagen (Madison, Wi.), by digestion with Eco RI and Xba I. The fragment was ligated into pBluescript SK, a cloning vector purchased from Stratagene (La Jolla, Ca.), which had been digested with Eco RI and Xba I. The internal ribosome initiation site-containing plasmid, rendered advantageous by the presence of multiple cloning sites, was named pBS CITE I.

A plasmid that featured a  $\beta$ -2 microglobulin gene was constructed as follows. The  $\beta$ -2 microglobulin gene was obtained as a Sal I/Bam HI fragment treated with Klenow from pH $\beta$  Apr-1-Neo, provided by Dr. Madrigal of Stanford University. The fragment was joined upstream of a polyadenylation addition signal derived from bovine growth hormone gene by ligation into a plasmid containing such a signal. The plasmid, pRSV ADH, supplied by Dr. Culp of Case Western Reserve University, was digested with Hind III and Xba I to

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remove the gene encoding ADH contained therein and treated with CIP and Klenow before insertion of the  $\beta$ -2 microglobulin gene containing fragment. Using site directed mutagenesis, the resultant plasmid was improved by the addition of a Kozak sequence (CACCC) to enhance translation efficiency of the  $\beta$ -2 microglobulin transcript. The oligonucleotides employed to direct the gapped heteroduplex consisted of the sequences 5'-CAC CTC CAA GCT TCA CCA TGG CTC and GCT CCG TGG-3' (A CCA TGG CTC GCT CCG TGG correspond to bases 2477-2495 of SEQ ID NO. 1). Thus, a plasmid was available, termed pRSV $\beta$ 2(K), that included the  $\beta$ -2 microglobulin gene positioned between a Kozak sequence and the bovine growth hormone gene derived polyadenylation signal.

Consequently, the multiple cloning sites in pBS CITE I were exploited to place the  $\beta$ -2 microglobulin gene downstream of the internal ribosome initiation site. This was accomplished by implementing pBS CITE I as a backbone in which a Nco I/Xba I fragment was removed, first, by digestion with Xba I and treatment with Klenow, and, second, by digestion with Nco I. The  $\beta$ -2 microglobulin gene, replete with Kozak sequence and poly A signal, was acquired as a fragment by digesting pRSV $\beta$ 2(K) with Dra III and filling in with Klenow and subsequently digesting with Nco I. Ligation produced a plasmid containing a unit composed of an internal ribosome initiation site followed by the  $\beta$ -2 microglobulin gene and a polyadenylation signal.

This unit was inserted into RSV HLA-B7(K) *supra* as follows. The HLA-B7 containing plasmid was partially digested by Bgl II sufficient to cut at that Bgl II site 3' of the HLA-B7 encoding sequence rather than at that Bgl II site internal to the HLA-B7 gene. RSV HLA-B7(K) was thus linearized, treated with CIP, and filled in with Klenow. The  $\beta$ -2 microglobulin comprising unit was removed as a Sal I/Not I fragment that was subsequently treated with Klenow. The ligation product contained a bi-cistronic transcription unit incorporating the RSV promoter followed by (in the direction of transcription): the HLA-B7 gene (attached to a Kozak sequence), an internal ribosome initiation site, the  $\beta$ -2 microglobulin gene (also attached to a Kozak sequence), the bovine growth hormone gene derived poly A site, and SV40 processing sequence. It was desired to remove the SV40 sequence in order to reduce contamination with virally derived genetic material, but not until the ampicillin resistance cistron was deleted and the kanamycin resistance gene

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inserted.

In order to facilitate purification of the plasmid, and to obviate the use of ampicillin selection during the growth of the bacterial host, the gene encoding ampicillin resistance ( $\beta$ -lactamase) was replaced with the gene encoding kanamycin resistance (aminoglycoside phosphotransferase) from the bacterial transposon Tn903. First, an Alw NI partial/Eco RI digest of RSV HLA-B7(K) *supra* was ligated with an Alw NI/Eco RI fragment from the vector pET9a (Novagen, Madison, Wi.) that encoded kanamycin resistance. Second, the resultant construct, named kRSV HLA-B7(K), was used as a donor of a Nde I/Hpa I kanamycin resistance gene containing-fragment. This fragment was substituted for an Nde I/Hpa I fragment that coded for ampicillin resistance subsisting within the plasmid of interest. The exchange of the antibiotic resistance genes having been completed, the removal of the unwanted SV40 sequence was addressed.

The SV40 processing and polyadenylation sequence was eliminated as a Xho I/Eco RI fragment. By partial digestion of the plasmid with Xho I and Eco RI, cutting was avoided in the kanamycin resistance cistron at an internal Xho I site and at three Eco RI sites in the bi-cistronic transcription unit. Subsequent treatment with Klenow and ligation produced a construct desirable in all aspects except one.

Within the RSV LTR was encrypted a polyadenylation signal, "AATAAA," that was inappropriate by virtue of its location within sequence intended to function as a promoter. Using site directed mutagenesis, the poly A sequence was mutated. The oligonucleotides having the sequence 5'-CTA GCT CGA TAC TCT AGA CGC (bases 470-490 of SEQ ID NO.1) and CAT TTG ACC-3' effectively directed the gapped heteroduplex, resulting in mutation of the unwanted poly A signal and, additionally, creation of a Xba I restriction site. A plasmid encoding HLA-B7 antigen and  $\beta$ -2 microglobulin peptide was thus prepared featuring many advantageous characteristics.

For example, the construct contained an origin of replication derived from pBR322, a bi-cistronic transcription unit under the control of a single promoter, a promoter derived from Rous sarcoma virus long terminal repeat (RSV-LTR) in which a poly A site had been mutated, an internal ribosome initiation site, consensus translation initiation sequences upstream of the HLA-B7 cistron (from which an intron had been removed) and the  $\beta$ -2 microglobulin cistron, a



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polyadenylation addition signal derived from bovine growth hormone gene, and genetic material encoding kanamycin resistance. Although it is preferred that the recombinant plasmid encode HLA-B7 and  $\beta$ -2 microglobulin, either cistron within the bi-cistronic transcription unit may be removed and the backbone used as a cassette for the insertion of other cistrons for which it is desired to achieve expression.

Database searching of the nucleotide sequence of the described plasmid through Genbank revealed no homology to oncogenes in the predicted open reading frames. Additionally, several papers have shown that the RSV + pBR322 sequences used in this plasmid have been used successfully in transgenic mice and are not intrinsically oncogenic (Westphal et al., Cold Spring Harb. Symp. Quant Biol. 50:411-416, 1985; Mahon et al., Proc. Natl. Acad. Sci. USA 85:1165-1168, 1988; Overbeek et al., Science 231:1574-1577, 1986). Moreover, the plasmid described here was analyzed in a rat fibroblast transformation assay and did not stimulate an increase in colony transformation above background.

#### EXAMPLE 2

##### Preparation of HLA-B7 Containing Plasmid

This plasmid was prepared by beginning with plasmid kRSV HLA-B7(K) *supra*. The kRSV HLA-B7(K) construct contained a transcription unit including the RSV LTR as the promoter for a cDNA encoding the gene for HLA-B7 from which an intron had been removed. A Kozak consensus translation initiation sequence was present. The transcription unit also included regions derived from SV40 which allowed splicing at the 3' end of the cDNA, and a polyadenylation signal. Additionally, the vector contained the origin of replication derived from pBR322. Moreover, the recombinant molecule accommodated the dominant selectable marker for kanamycin resistance.

An overall reduction of SV40 sequences, from 1612 bp to 384 bp, was engineered. Deletions removed two open reading frames encoding portions of SV40 viral proteins, the small t antigen and VPI.

The polyadenylation region was originally cloned as a 993 base pair fragment from a Bcl I to Eco RI site from the SV40 viral genome. Extraneous sequences in this region coded for a viral structural protein, VPI. Elimination of extraneous regions of the SV40 polyadenylation signal was accomplished by deleting a 757 bp

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fragment from Eco RI to Bam HI from kRSV HLA-B7(K), leaving a 236 bp sequence containing the polyadenylation site.

The SV40 small t antigen intron was originally cloned as a 610 bp fragment, although the intron region itself was 64 bp in size. A 462 bp portion was deleted from the Pfl MI to Bsa BI site of kRSV HLA-B7(K), leaving a 148 bp region containing the intron. This deletion removed essentially all of the small t antigen open reading frame.

Thus, an HLA-B7 antigen encoding plasmid was developed to incorporate many advantageous features. For instance, by changing the drug resistance marker from ampicillin to kanamycin, patients who are exposed to the plasmid, e.g., during gene therapy, are protected from suffering antibiotic-related allergic reactions. What is more, ampicillin tends to decompose in culture, so the plasmid is inclined to be lost during *in vitro* growth; this problem is precluded by the use of a kanamycin selectable marker. Importantly, the eradication of two open reading frames encoding portions of SV40 viral proteins lowers the risk of tumorigenicity. The vector may also operate as a cassette into which cistrons may be inserted and removed at will for the transcription and subsequent translation of peptides of interest.

Database searching of the nucleotide sequence of the described plasmid through Genbank revealed no homology to oncogenes in the predicted open reading frames. In addition, the plasmid described here was analyzed in a rat fibroblast transformation assay and did not stimulate an increase in colony transformation above background.

#### EXAMPLE 3

##### EXPRESSION USING MODIFIED HLA-B7 EXPRESSION VECTOR

FACS analysis of plasmid HLA-B7 expression vector with no modifications or with an intron removed and the addition of a  $\beta$ -globin consensus translational initiation sequence revealed an increase in expression with these two modifications.

#### EXAMPLE 4

##### EXPRESSION USING HLA-B7 AND $\beta$ -2 MICROGLOB. EXPRESSION VECTOR

Class MHC I proteins are co-transported with  $\beta$ -2 microglobulin to the cell surfaces. In 10% of melanomas,  $\beta$ -2 microglobulin and this class I MHC expression is lacking. To overcome this potential block to class I MHC expression, we included  $\beta$ -2 microglobulin in the vector. Expression of HLA-B7 with or without  $\beta$ -2 microglobulin gene in a  $\beta$ -2 microglobulin negative human melanoma line was

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evaluated. FACS analysis indicated that inclusion of the  $\beta$ -2 microglobulin gene allowed the expression of the HLA-B7 protein on the surface of cells which was otherwise not expressed.

#### EXAMPLE 5

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#### IMPROVED THERAPY USING CYTOKINE GENES

The introduction of a class I MHC gene into tumors *in vivo* leads to T cell response against the foreign MHC gene, which also leads to recognition of tumor-associated antigens. The antigenicity of the tumor could be further augmented by the inclusion of cytokines which could further expand the T cells which are generated locally in response to this foreign gene. To determine whether this response can be further amplified, one might evaluate other cytokine genes, for example, IL-2, in combination with HLA-B7 in intratumor injections. In addition, one might also examine the response to foreign MHC gene expression in the model using porcine arteries *in vivo* (E.G. Nabel, et al., *Proc. Natl. Acad. Sci. USA* 89, 5157 (1992)).

#### EXAMPLE 6

#### TRANSFECTION EFFICIENCY OF DMRIE/DOPE

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Cationic lipid formulations comprising DC-Cholesterol/DOPE (5:5 molar ratio) and DMRIE/DOPE (5:5 molar ratio) were used to transfect cells according to the procedure of Example 12. Transfection efficiencies *in vitro* of the DC-Cholesterol/DOPE versus the DMRIE/DOPE cationic lipids were measured using  $\beta$ -galactosidase transduction of a renal epithelial cell (293), human melanoma line (HALL) or a murine fibrosarcoma (MCA 205). Compared to DC-cholesterol/DOPE, DMRIE/DOPE showed up to ~7-fold increase in transfection efficiency.

#### EXAMPLE 7

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#### TOXICITY OF DNA LIPOSOME COMPLEXES

The potential toxicity of DNA liposome complexes was evaluated in animals injected with DNA liposome complexes (plasmid HLA-B7 *infra* + DMRIE/DOPE) by tail vein in concentrations that would exceed the amounts used in human trial by ~100-fold. There were no significant changes which would suggest major organ toxicity. To address the concern regarding potential cardiac toxicity, CPK levels were analyzed, and no changes were noted after injection. Electrocardiographic analysis revealed no myocardial toxicity. Serum biochemical parameters were within normal limits after single (1) or multiple injections (3x at 2-week intervals). There were no

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changes in BUN, creatinine, SGOT, SGPT, alkaline phosphatase, or bilirubin. Amylase, phosphorous, and total protein also remained stable following these treatments, both acutely and chronically. Finally, general safety tests revealed no loss in weight or signs of systemic toxicity after use of these DNA liposome complexes.

#### EXAMPLE 8

##### IMPROVED THERAPY WITH DNA DMRIE/DOPE COMPLEXES

The potential for improved therapy with the new liposome formulation DMRIE/DOPE was examined. C57/BL6 mice (H-2K<sup>b</sup>) were inoculated subcutaneously in the left posterior hind flank on day 0 with tumor cells derived from a subclone of MCA 205, a murine fibrosarcoma (H-2K<sup>b</sup>). Presensitization was performed by subcutaneous injection of BALB/c (H-2K<sup>d</sup>) spleen cells ( $5 \times 10^6$ ) on day -6, and ( $2 \times 10^6$ ) on day +1. Tumors were injected with 0.1 ml of a 50:50 mixture of DMRIE:DOPE, containing 74.7 nmol DMRIE in lactated Ringer's solution, complexed with 5  $\mu$ g of CMVH-2K<sup>b</sup>, or CMVH-2K<sup>d</sup>, on days 15, 18, and 20. Tumor size, calculated as the product of two perpendicular diameters, was measured on days 15, 18, 21, 23, 25, 28 and 30. Results indicated that the murine fibrosarcoma was poorly transfected by DC-Chol liposome using the concentration of the DMRIE/DOPE formulation. A marked anti-tumor effect was obtained after introduction of a foreign MHC gene (H-2K<sup>d</sup>) which was not seen with DC-Chol.

#### EXAMPLE 9

##### PREPARATION OF 1,2-DIMYRISTYLOXYPROPYL- 3-DIMETHYL-HYDROXYETHYL AMMONIUM BROMIDE (DMRIE)

DMRIE was synthesized using minor modifications of the procedure developed for the synthesis of DOTMA (Felgner, P.L. et al., PNAS 84: 7413-7417 (1987)). Thus, 3-dimethylamino-1,2-propanediol was condensed with myristyl mesylate employing basic catalysis to generate the corresponding diether. Subsequent to chromatographic purification of this lipophilic amine, quaternization was effected by treatment with 2-bromoethanol at elevated temperatures. The chromatographically purified product exhibited IR, <sup>1</sup>H-NMR and elemental analyses consistent with those predicted for the desired hydroxyalkyl ammonium salt.

#### EXAMPLE 10

##### CATIONIC LIPOSOME PREPARATION

Cationic liposomes were prepared by mixing a chloroform solution of the lipid in a Wheaton 2 ml glass septum vial and

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removing the chloroform by rotary evaporation to produce the dried lipid film. Vials were placed under vacuum overnight to remove the solvent traces. One ml of deionized water was added, and the vials were sealed and vortexed for 1 minute at room temperature to produce large multilamellar vesicles (MSV). Small sonicated unilamellar vesicles (SUV) were prepared by sonicating the MLV under nitrogen in an inverted cup sonicator (Heat Systems) for 60 minutes at 10 degrees C.

#### EXAMPLE 11

##### POLYNUCLEOTIDE/CATIONIC LIPID COMPLEX FORMATION

Polynucleotide complexes were prepared by mixing 0.5 ml of a 10 ug/ml polynucleotide solution with 0.5 ml of liposomes at 40-100 ug/ml. The diluted polynucleotide and liposome solutions were prepared from concentrated stock solutions by dilutions performed at room temperature. This procedure results in positively charged complexes which will spontaneously deliver polynucleotide into cells. Different ratios of positively charged liposomes to polynucleotides can be used to suit the need. These methods are essentially as described in Felgner, P.L. et al., PNAS 84: 7413-7417 (1987), and Felgner, P. and M. Holm, Focus 11(2) Spring, 1989. See, also, Example 14.

#### EXAMPLE 12

##### TRANSFECTIONS PROTOCOLS

Transfections were carried out in 96-well plates, as follows:

- (1) The wells of a 96-well microtiter plate were seeded with 20,000 to 40,000 cells per well;
- (2) Dilutions of cationic lipid preparations and polynucleotide preparations from stock solutions were carried out by 2-dimensional serial dilutions in two separate 96-well plates;
- (3) Corresponding dilutions of lipid and polynucleotide were mixed by transferring an equal volume of polynucleotide to a corresponding lipid microwell;
- (4) The serum-containing media was evaporated from the wells containing the cells;
- (5) A quantity of about 100  $\mu$ l of the cationic lipid/DNA complexes was added to cells in each well of the microtiter plate;
- (6) The plates were incubated at 37°C (5% CO<sub>2</sub>). At 4-24 hours post transfection, an aliquot of 10% serum in Optimem™ Reduced Serum Media obtained from Gibco/BRL, (Gaithersburg, Md.) was added to each well;

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(7) At the end of the incubation, the assay media of the cells or a whole cell lysate was assayed for expression activity.

Where beta-galactosidase was the reporter gene, the expression was monitored colorimetrically, using 2-nitrophenyl- $\beta$ -D-galactopyranoside (ONPG) or chlorophenyl red- $\beta$ -D-galactopyranoside (CPRG) as a substrate, reading the plates with a microtiter reader at 405 nm.

#### EXAMPLE 13

##### CATHETER BASED GENE DELIVERY

A catheter-based delivery introduction of a foreign MHC gene into a melanoma pulmonary metastasis was used in a patient who had previously received gene transfer treatment. This procedure was tolerated well with no change in arterial pressures before and after treatment (23/12 mean = 10 versus 22/11 mean = 10) following gene transfer. In addition, no acute or chronic toxicity was noted after these treatments. Analysis of hematology, chemistry, and immunology assays revealed no additional abnormalities up to 6 weeks after the initial treatment.

#### EXAMPLE 14

##### HUMAN GENE THERAPY

Patients diagnosed with melanoma are admitted to a clinical research center. The tumor nodule to be injected is identified and its borders measured prior to injection. A needle biopsy is performed to confirm the diagnosis. Tissue is stored as frozen sections for further immunohistochemical analysis and PCR. In addition, this nodule and other control (untreated) nodules are imaged by CT immediately prior to the procedure, and the size quantitated. The skin overlying the tumor nodule is sterilized and anesthetized using .01% lidocaine. For gene transfer, a 22-gauge needle is used to inject the DNA liposome complex which is prepared as follows: 10 minutes prior to delivery, 0.1 ml of plasmid DNA (.05-50 mg/ml) in lactated Ringer's solution is added to 0.1 ml of DMRIE/DOPE liposome solution (.15-15  $\mu$ M). Each component is stored separately in sterile vials and certified as acceptable by the FDA. The solution is left at room temperature for 5-10 minutes and 0.8 ml of sterile lactated-Ringer's is added to the liposome DNA solution. The optimal composition of the DNA/liposome complex has been established for each batch by titration of DNA concentration and liposome concentration independently on human melanoma or renal cell carcinoma in culture, and confirmed by direct injection into

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melanoma or other tumors in experimental animals prior to use. Each component, the liposome preparation and the DNA, is tested for contaminants and toxicity and used according to previously established guidelines from the FDA. The liposome solution and DNA  
5 are aliquoted in individual sterile vials mixed under sterile conditions.

The optimal dosage of plasmid may be readily determined using conventional empirical techniques. For example, to optimize dosage for direct injection of the HLA-B7 plasmids, escalating doses are  
10 studied. Four groups of patients are studied sequentially with at least 1 month of observation prior to evaluation of the next group. Patients in each group receive intratumor injections. Group I receives 3 injections of 0.2 ml within the same nodule (3  $\mu$ g of DNA + 4.5 nM DMRIE/DOPE). Group II receives the same treatment with a  
15 10-fold higher concentration of DNA liposome complex. Group III receives a 100-fold higher dose, and Group IV receives a 1000 x higher amount. Pre-treatment with low dose cytoxan may improve the anti-tumor response by eliminating suppressive T cells.

For catheter-based gene delivery, the same dose escalation is  
20 used, except a single 0.6 ml injection into the end artery which perfuses an isolated nodule is used with an occlusion balloon catheter. In murine and porcine models, the highest treatment exceeded these proposed doses by 100-fold and are well-tolerated. Doses are repeated within each subject for whom the toxicity  
25 treatment is with  $\leq$  grade II. Dose escalation begins if patients show toxicities  $<$  grade III from the treatment. If one-third of patients displays toxicity  $>$  grade II, the treatment is repeated on additional patients. If more than one-third of patients develops toxicity  $>$  grade II, the dosage is reduced. The maximal tolerated  
30 dose is defined as the dose at which one-third or more of patients develop grade III or IV toxicity. The treatment dose is established at one level below the maximum tolerated dose. Once the treatment dose is defined, an additional number of patients is entered at that dose to ascertain the safety of this dose for wider application.

35 Prior to the injection with the needle in place, gentle aspiration is applied to the syringe to ensure that no material is injected intravenously. Immediately after the injection procedure, a blood sample is obtained to check serum enzymes, chemistries, and blood counts, and to analyze for the presence of plasmid DNA in the  
40 peripheral blood by PCR. The patient is observed in the clinical

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research center for an additional 48 hours. If there are no complications, the patient is discharged after 48 hours. Should any abnormalities appear, the patient is kept for further observation.

#### **Confirmation of Gene Transfer and Expression**

5 Needle biopsy of the injected nodule is performed after administration of local anesthesia prior to injection and subsequent to treatment. A portion of this tissue is processed to obtain DNA for PCR analysis. The remaining tissue is processed for pathologic analysis and immunohistochemical and/or immunofluorescent staining.  
10 If sufficient material can be obtained, RNA PCR analysis is also performed. For internal organs, CT or ultrasound guided thin needle biopsies is also obtained when possible.

#### **Analysis of Immune Response**

Evidence of gene transfer can also be obtained indirectly by  
15 examination of the specific immune response to HLA-B7. The analysis is performed as follows: two weeks prior to the initial treatment, a blood sample is obtained to derive lymphocytes which are immortalized using the Epstein-Barr virus. An aliquot of these cells are further infected with an amphotropic HLA-B7 retroviral  
20 vector, and expression is confirmed on the cell surface. These cells are subsequently used in the laboratory as target cells for the cytolytic T cell assay.

#### **Repeated Treatment**

If no adverse side effects of the treatment are observed,  
25 repeated injections are considered at two-week intervals. Doses identical to the initial treatment regimen are repeated with similar protocols and observation as described above.

#### **Confirmation of Recombinant Gene Expression**

Several independent techniques are used to evaluate the  
30 presence and expression of the recombinant gene *in vivo*. Monoclonal antibodies to HLA-B7 are used to detect the recombinant gene product *in vivo* by immunohistochemistry. Fluorescence staining of freshly dispersed cells is also evaluated. The presence of plasmid DNA is confirmed by PCR of DNA from tumor tissue, peripheral blood  
35 lymphocytes, or in autopsy specimen tissue. If sufficient tissue is available, RNA is isolated and examined for the presence of HLA-B7 mRNA by PCR or S1 nuclease analysis.

#### **Analysis of Immune Response**

40 Direct gene transfer and expression of the HLA-B7 gene may sensitize the patient to HLA-B7 and lead to the generation of an



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immune response to this antigen. Limiting dilution analysis (LDA) is utilized to evaluate alterations in the frequency of helper and cytolytic T cells for HLA-B7 in the peripheral blood following direct gene transfer. Peripheral blood lymphocytes (PBL) are isolated and cryopreserved prior to, and at 4-week intervals, following the initial direct gene transfer. At the completion of treatment, samples of PBL from each time point are simultaneously evaluated for responsiveness to HLA-B7 by culturing PBL, under LDA conditions, with autologous EBV-B cells transduced with the HLA-B7 gene. Antigen specific elaboration of IL-2 or generation of CTL to HLA-B7 positive target cells are the indices evaluated in these studies. The presence of antibody is evaluated by FACS analysis of a matched pair of HLA-B7<sup>+</sup> or HLA-B7<sup>-</sup> cell lines. In some instances, lymphocytes are isolated directly from the tumor, expanded in tissue culture, and analyzed for cytolytic function. Tumor biopsies at 7-14 days after treatment are analyzed by immunohistochemistry. It may be attempted to expand draining lymph node T cells or TIL cells to test their cytologic function. It may be possible to derive autologous cell lines to be used as targets in <sup>51</sup>Cr release assays. An attempt may be made to excise tumor tissue prior to treatment for diagnosis, immunohistochemistry, and cryopreservation and to evaluate delayed type hypersensitivity reactions to the tumor before and after treatment.

While particular embodiments of the invention have been described in detail, it will be apparent to those skilled in the art that these embodiments are exemplary rather than limiting, and the true scope of the invention is that defined within the following claims:

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## SEQUENCE LISTING

## (1) GENERAL INFORMATION

- (i) APPLICANT: Vical Incorporated  
Regents of the University of Michigan  
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Nabel, Gary  
Lew, Denise  
Marquet, Magda
- (ii) TITLE OF THE INVENTION: PLASMIDS SUITABLE FOR GENE THERAPY
- (iii) NUMBER OF SEQUENCES: 2
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  - (A) MEDIUM TYPE: Diskette
  - (B) COMPUTER: IBM Compatible
  - (C) OPERATING SYSTEM: DOS
  - (D) SOFTWARE: FastSEQ Version 1.1
- (vi) CURRENT APPLICATION DATA:
  - (A) APPLICATION NUMBER:
  - (B) FILING DATE:
  - (C) CLASSIFICATION:
- (vii) PRIOR APPLICATION DATA:
  - (A) APPLICATION NUMBER: 08/074,344
  - (B) FILING DATE: 07-JUN-1993
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  - (C) TELEX:
- (2) INFORMATION FOR SEQ ID NO:1:
  - (i) SEQUENCE CHARACTERISTICS:
    - (A) LENGTH: 4965 base pairs
    - (B) TYPE: nucleic acid
    - (C) STRANDEDNESS: double
    - (D) TOPOLOGY: circular
  - (ii) MOLECULE TYPE: cDNA
  - (iii) HYPOTHETICAL: NO

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(iv) ANTISENSE: NO  
 (v) FRAGMENT TYPE:  
 (vi) ORIGINAL SOURCE:  
 (B) CLONE: HLA-B7 and Beta-2

(xi) SEQUENCE DESCRIPTION: SEQ ID NO:1:

CTGCTCCCTG	CTTGTGTGTT	GGAGGTCGCT	GAGTAGTGCG	CGAGCAAAAT	TTAAGCTACA	60
ACAAGGCAAG	GCTTGACCGA	CAATTGCATG	AAGAATCTGC	TTAGGGTTAG	GCGTTTTGCG	120
CTGCTTCGCG	ATGTACGGGC	CAGATATACG	CGTATCTGAG	GGGACTAGGG	TGTGTTTAGG	180
CGAAAAGCGG	GGCTTCGGTT	GTACGCGGTT	AGGAGTCCCC	TCAGGATATA	GTAAGTTTCGC	240
TTTTGCATAG	GGAGGGGGAA	ATGTAGTCTT	ATGCAATACT	CTTGTAGTCT	TGCAACATGG	300
TAACGATGAG	TTAGCAACAT	GCCTTACAAG	GAGAGAAAAA	GCACCGTGCA	TGCCGATTGG	360
TGGAAGTAAG	GTGGTACGAT	CGTGCCTTAT	TAGGAAGGCA	ACAGACGGGT	CTGACATGGA	420
TTGGACGAAC	CACTGAATTC	CGCATTCGAG	AGATATTGTA	TTTAAGTGCC	TAGCTCGATA	480
CTCTAGACGC	CATTTGACCA	TTCAACCAT	TGGTGTGCAC	CTCCAAGCTT	CACCATGGTG	540
GTCATGGCGC	CCCGAACCGT	CCTCCTGCTG	CTCTCGGCGG	CCCTGGCCCT	GACCGAGACC	600
TGGGCGGGCT	CCCACTCCAT	GAGGTATTTT	TACACCTCCG	TGTCCTGGCC	CGGCCGCGGG	660
GAGCCCCGCT	TCATCTCAGT	GGGCTACGTG	GAGCAGACCC	AGTTCGTGAG	GTTTCGACAGC	720
GACGCCGCGA	GTCCGAGAGA	GGAGCCGCGG	GCGCCGTGGA	TAGAGCAGGA	GGGGCCGGAG	780
TATTGGGACC	GGAACACACA	GATCTACAAG	GCCCAGGCAC	AGACTGACCG	AGAGAGCCTG	840
CGGAACCTGC	GCGGCTACTA	CAACCAGAGC	GAGGCCGGGT	CTCACACCCT	CCAGAGCATG	900
TACGGCTGCG	ACGTGGGGCC	GGACGGGCGC	CTCCTCCGCG	GGCATGACCA	GTACGCCTAC	960
GACGGCAAGG	ATTACATCGC	CCTGAACGAG	GACCTGCGCT	CCTGGACCGC	CGCGGACACG	1020
GCGGCTCAGA	TCACCCAGCG	CAAGTGGGAG	GCGGCCCGTG	AGGCGGAGCA	GCGGAGAGCC	1080
TACCTGGAGG	GCGAGTGCCT	GGAGTGGCTC	CGCAGATACC	TGGAGAACGG	GAAGGACAAG	1140
CTGGAGCGCG	CTGACCCCCC	AAAGACACAC	GTGACCCACC	ACCCCATCTC	TGACCATGAG	1200
GCCACCCTGA	GGTGCTGGGC	CCTGGGTTTC	TACCCTGCGG	AGATCACACT	GACCTGGCAG	1260
CGGGATGGCG	AGGACCAAAC	TCAGGACACT	GAGCTTGTGG	AGACCAGACC	AGCAGGAGAT	1320
AGAACCTTCC	AGAAGTGGGC	AGCTGTGGTG	GTGCCTTCTG	GAGAAGAGCA	GAGATACACA	1380
TGCCATGTAC	AGCATGAGGG	GCTGCCGAAG	CCCCTCACCC	TGAGATGGGA	GCCGTCTTCC	1440
CAGTCCACCG	TCCCCATCGT	GGGCATTGTT	GCTGGCCTGG	CTGTCCTAGC	AGTTGTGGTC	1500
ATCGGAGCTG	TGGTCGCTGC	TGTGATGTGT	AGTGAAGAAG	GTTGAGGTGG	AAAAGGAGGG	1560
AGCTACTCTC	AGGCTGCGTG	CAGCGACAGT	GCCCAGGGCT	CTGATGTGTC	TCTCACAGCT	1620
TGAAAAGCCT	GAGACAGCTG	TCTTGTGAGG	GACTGAGATG	CAGGATTTCT	TCACGCCTCC	1680
CCTTTGTGAC	TTCAAGAGCC	TCTGGCATCT	CTTTCTGCAA	AGGCACCTGA	ATGTGTCTGC	1740
GTCCCTGTTA	GCATAATGTG	AGGAGGTGGA	GAGACAGCCC	ACCCTTGTGT	CCACTGTGAC	1800
CCCTGTTCCC	ATGCTGACCT	GTGTTTCCTC	CCCAGTCATC	TTTCTTGTTC	CAGGTCGAGA	1860
TCTCGAAGCT	ATCGATAAGC	TTGATATCGA	ATTCCGCCCC	CCCCCCCCCT	CCCTAACGTT	1920
ACTGGCCGAA	GCCGCTTGGA	ATAAGGCCGG	TGTGCGTTTG	TCTATATGTT	ATTTTCCACC	1980
ATATTGCCGT	CTTTTGCCAA	TGTGAGGGCC	CGGAAACCTG	GCCCTGTCTT	CTTGACGAGC	2040
ATTCTTAGGG	GTCTTTCCCC	TCTCGCCAAA	GGAATGCAAG	GTCTGTTGAA	TGTCGTGAAG	2100
GAAGCAGTTC	CTCTGGAAGC	TTCTTGAAGA	CAAACAACGT	CTGTAGCGAC	CCTTTGCAGG	2160
CAGCGGAACC	CCCCACCTGG	CGACAGGTGC	CTCTGCGGCC	AAAAGCCACG	TGTATAAGAT	2220
ACACCTGCAA	AGGCGGCACA	ACCCAGTGTC	CACGTTGTGA	GTTGGATAGT	TGTGGAAAGA	2280
GTCAAATGGC	TCTCCTCAAG	CGTATTCAAC	AAGGGGCTGA	AGGATGCCCC	GAAGGTACCC	2340
CATTGTATGG	GATCTGATCT	GGGGCCTCGG	TGCACATGCT	TTACATGTGT	TTAGTCGAGG	2400
TTAAAAAAAC	GTCTAGGCCC	CCCGAACACC	GGGGACGTGG	TTTTCTTTTG	AAAAACACGA	2460
TGATAATATG	GCCACAACCA	TGGCTCGCTC	CGTGGCCTTA	GCTGTGCTCG	CGCTACTCTC	2520
TCTTTCTGGC	CTGGAGGCTA	TCCAGCGTAC	TCCAAAGATT	CAGGTTTACT	CACGTCATCC	2580
AGCAGAGAAT	GGAAAGTCAA	ATTTCTTGAA	TTGCTATGTG	TCTGGGTTTC	ATCCATCCGA	2640
CATTGAAGTT	GACTTACTGA	AGAATGGAGA	GAGAATTGAA	AAAGTGGAGC	ATTGAGACTT	2700
GTCTTTTCAGC	AAGGACTGGT	CTTTCTATCT	CTTGTACTAC	ACTGAATTCA	CCCCCACTGA	2760
AAAAGATGAG	TATGCCTGCC	GTGTGAACCA	TGTGACTTTG	TCACAGCCCA	AGATAGTTAA	2820
GTGGGATCGA	GACATGTAAG	CAGCATCATA	AGCTTCGAGG	GATCCTAGAG	CTCGCTGATC	2880
AGCCTCGACT	GTGCCTTCTA	GTTGCCAGCC	ATCTGTTGTT	TGCCCCCTCC	CCGTGCCTTC	2940
CTTGACCCTG	GAAGGTGCCA	CTCCCACTGT	CCTTTCTCTA	TAAAATGAGG	AAATTGCATC	3000
GCATTGTCTG	AGTAGGTGTC	ATTCTATTCT	GGGGGGTGGG	GTGGGGCAGG	ACAGCAAGGG	3060
GGAGGATTGG	GAAGACAATA	GCAGGCATGC	TGGGGATGCG	GTGGGGCTCT	TGGCTTCTGA	3120
GGCGGAAAGA	ACCAGCTGGG	GCTCGAAAAT	CTTAGAAAAA	CTCATCGAGC	ATCAAATGAA	3180
ACTGCAATTT	ATTCAATATCA	GGATTATCAA	TACCATATTT	TTGAAAAAGC	CGTTTCTGTA	3240
ATGAAGGAGA	AAACTCACCG	AGGCAGTTCC	ATAGGATGGC	AAGATCCTGG	TATCGGTCTG	3300

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CGATTCCGAC	TCGTCCAACA	TCAATACAAC	CTATTAATTT	CCCCTCGTCA	AAAATAAGGT	3360
TATCAAGTGA	GAAATCACCA	TGAGTGACGA	CTGAATCCGG	TGAGAATGGC	AAAAGCTTAT	3420
GCATTTCTTT	CCAGACTTGT	TCAACAGGCC	AGCCATTACG	CTCGTCATCA	AAATCACTCG	3480
CATCAACCAA	ACCGTTATTC	ATTCTGTATT	GCGCCTGAGC	GAGACGAAAT	ACGCGATCGC	3540
TGTTAAAAGG	ACAATTACAA	ACAGGAATCG	AATGCAACCG	GCGCAGGAAC	ACTGCCACCG	3600
CATCAACAAT	ATTTTCACCT	GAATCAGGAT	ATTCTTCTAA	TACCTGGAAT	GCTGTTTTTC	3660
CGGGGATCGC	AGTGGTGAGT	AACCATGTCAT	CATCAGGAGT	ACGGATAAAA	TGCTTGATGG	3720
TCGGAAGAGG	CATAAATTCC	GTCAGCCAGT	TTAGTCTGAC	CATCTCATCT	GTAACATCAT	3780
TGGCAACGCT	ACCTTTGCCA	TGTTTCAGAA	ACAACCTCTGG	CGCATCGGGC	TTCCCATACA	3840
ATCGATAGAT	TGTCGCACCT	GATTGCCCGA	CATTATCGCG	AGCCCATTTA	TACCCATATA	3900
AATCAGCATC	CATGTTGGAA	TTTAATCGCG	GCCTCGAGCA	AGACGTTTCC	CGTTGAATAT	3960
GGCTCATAAC	ACCCCTTGTA	TTACTGTTTA	TGTAAGCAGA	CAGTTTTTATT	GTTTCATGACC	4020
AAAATCCCTT	AACGTGAGTT	TTCGTTCCAC	TGAGCGTCAG	ACCCCGTAGA	AAAGATCAAA	4080
GGATCTTCTT	GAGATCCTTT	TTTTCTGCGC	GTAATCTGCT	GCTTGCAAAC	AAAAAAACCA	4140
CCGCTACCAG	CGGTGGTTTG	TTTGCCGGAT	CAAGAGCTAC	CAACTCTTTT	TCCGAAGGTA	4200
ACTGGCTTCA	GCAGAGCGCA	GATACCAAAT	ACTGTCCTTC	TAGTGTAGCC	GTAGTTAGGC	4260
CACCACTTCA	AGAACTCTGT	AGCACCGCCT	ACATACCTCG	CTCTGCTAAT	CCTGTTACCA	4320
GTGGCTGCTG	CCAGTGGCGA	TAAGTCGTGT	CTTACCGGGT	TGGACTCAAG	ACGATAGTTA	4380
CCGGATAAGG	CGCAGCGGTC	GGGCTGAACG	GGGGGTTCTG	GCACACAGCC	CAGCTTGGAG	4440
CGAACGACCT	ACACCGAACT	GAGATACCTA	CAGCGTGAGC	TATGAGAAAG	CGCCACGCTT	4500
CCCGAAGGGA	GAAAGGCGGA	CAGGTATCCG	GTAAGCGGCA	GGGTGCGAAC	AGGAGAGCGC	4560
ACGAGGGAGC	TTCCAGGGGG	AAACGCCTGG	TATCTTTATA	GTCCTGTCGG	GTTTCGCCAC	4620
CTCTGACTTG	AGCGTCGATT	TTTGTGATGC	TCGTCAGGGG	GGCGGAGCCT	ATGGAAAAAC	4680
GCCAGCAACG	CGGCCTTTTT	ACGGTTTCCTG	GCCTTTTGCT	GGCCTTTTGC	TCACATGTTC	4740
TTTCCTGCGT	TATCCCCTGA	TTCTGTGGAT	AACCGTATTA	CCGCCTTTGA	GTGAGCTGAT	4800
ACCGCTCGCC	GCAGCCGAAC	GACCGAGCGC	AGCGAGTCAG	TGAGCGAGGA	AGCGGAAGAG	4860
CGCCTGATGC	GGTATTTTCT	CCTTACGCAT	CTGTGCGGTA	TTTCACACCG	CATATGGTGC	4920
ACTCTCAGTA	CAATCTGCTC	TGATGCCGCA	TAGTTAAGCC	AGTAT		4965

## (2) INFORMATION FOR SEQ ID NO:2:

## (i) SEQUENCE CHARACTERISTICS:

- (A) LENGTH: 4059 base pairs
- (B) TYPE: nucleic acid
- (C) STRANDEDNESS: double
- (D) TOPOLOGY: circular

## (ii) MOLECULE TYPE: cDNA

## (iii) HYPOTHETICAL: NO

## (iv) ANTISENSE: NO

## (v) FRAGMENT TYPE:

## (vi) ORIGINAL SOURCE:

## (B) CLONE: HLA-B7

## (xi) SEQUENCE DESCRIPTION: SEQ ID NO:2:

CTGGTAACAG	GATTAGCAGA	GCGAGGTATG	TAGGCGGTGC	TACAGAGTTC	TTGAAGTGGT	60
GGCCTAACTA	CGGCTACACT	AGAAGGACAG	TATTTGGTAT	CTGCGCTCTG	CTGAAGCCAG	120
TTACCTTCGG	AAAAAGAGTT	GGTAGCTCTT	GATCCGGCAA	ACAAACCACC	GCTGGTAGCG	180
GTGGTTTTTT	TGTTTGCAAG	CAGCAGATTA	CGCGCAGAAA	AAAAGGATCT	CAAGAAGATC	240
CTTTGATCTT	TTCTACGGGG	TCTGACGCTC	AGTGGAACGA	AAACTCACGT	TAAGGGATTT	300
TGGTCATGAA	CAATAAAACT	GTCTGCTTAC	ATAAACAGTA	ATACAAGGGG	TGTTATGAGC	360
CATATTCAAC	GGGAAACGTC	TTGCTCGAGG	CCGCGATTAA	ATTCCAACAT	GGATGCTGAT	420
TTATATGGGT	ATAAATGGGC	TGCGGATAAT	GTCGGGCAAT	CAGGTGCGAC	AATCTATCGA	480
TTGTATGGGA	AGCCCGATGC	GCCAGAGTTG	TTTCTGAAAC	ATGGCAAAGG	TAGCGTTGCC	540
AATGATGTTA	CAGATGAGAT	GGTCAGACTA	AACTGGCTGA	CGGAATTTAT	GCCTCTTCGG	600
ACCATCAAGC	ATTTTATCCG	TACTCCTGAT	GATGCATGGT	TACTCACCAC	TGCGATCCCC	660
GGGAAAACAG	CATTCCAGGT	ATTAGAAGAA	TATCCTGATT	CAGGTGAAAA	TATTGTTGAT	720
GCGCTGGCAG	TGTTCTGCG	CCGGTTGCAT	TCGATTCTTG	TTTGTAATTG	TCCTTTTAAC	780
AGCGATCGCG	TATTTCTGCT	CGCTCAGCGC	CAATCACGAA	TGAATAACGG	TTTGGTTGAT	840
GCGAGTGATT	TTGATGACGA	GCGTAATGGC	TGGCCTGTTG	AACAAGTCTG	GAAAGAAATG	900
CATAAGCTTT	TGCCATTCTC	ACCGGATTCA	GTCGTCACTC	ATGGTGATTT	CTCACTTGAT	960

AACCTTATTT	TTGACGAGGG	GAAATTAATA	GGTTGTATTG	ATGTTGGACG	AGTCGGAATC	1020
GCAGACCGAT	ACCAGGATCT	TGCCATCCTA	TGGAAC TGCC	TCGGTGAGTT	TTCTCCTTCA	1080
TTACAGAAAC	GGCTTTTTC	AAAATATGGT	ATTGATAATC	CTGATATGAA	TAAATTGCAG	1140
TTTCATTTGA	TGCTCGATGA	GTTTTTCTAA	GAATTGATCC	AGACATGATA	AGATACATTG	1200
ATGAGTTTGG	ACAAACCACA	ACTAGAAATG	AGTGAAAAAA	ATGCTTTATT	TGTGAAATTT	1260
GTGATGCTAT	TGCTTTATTT	GTAACCATTA	TAAGCTGCAA	TAAACAAGTT	AACAACAACA	1320
ATTGCATTCA	TTTTATGTTT	CAGGTTCCAG	GGGAGGTGTG	GGAGGTTTTT	TAAAGCAAGT	1380
AAAACCTCTA	CAAAATGTGGT	ATGGCTGATT	ATTGGAATCT	AAAATACACA	AACAATTAGA	1440
ATCAGTAGTT	TAACACATTA	TACACTTAAA	AATTTTTATAT	TTACCTTAGA	GCTTTAAATC	1500
TCTGTAGGTA	GTTTGTCCAA	TTATGTCACA	CCACAGAAGT	AAGGTTCCCT	CACAAAGATC	1560
TCGACCTGGA	ACAAGAAAGA	TGACTGGGGA	GGAAACACAG	GTCAGCATGG	GAACAGGGGT	1620
CACACTGGAC	ACAAGGGTGG	GCTGTCTCTC	CACCTCCTCA	CATTATGCTA	ACAGGGACGC	1680
AGACACATTC	AGGTGCCTTT	GCAGAAAAGA	GTCCAGAGGC	TCTTGAAGTC	GCAAAGGGGA	1740
GGCGTGAAGA	AATCCTGCAT	CTCAGTCCCT	CACAAGACAG	CTGTCTCAGG	CTTTTCAAGC	1800
TGTGAGAGAC	ACATCAGAGC	CCTGGGCACT	GTCGCTGCAC	GCAGCCTGAG	AGTAGCTCCC	1860
TCCTTTTCCA	CCTGAACTCT	TCCTCCTACA	CATCACAGCA	GCGACCACAG	CTCCGATGAC	1920
CACAAC TGCT	AGGACAGCCA	GGCCAGCAAC	AATGCCCACG	ATGGGGACGG	TGGACTGGGA	1980
AGACGGCTCC	CATCTCAGGG	TGAGGGGCTT	CGGCAGCCCC	TCATGCTGTA	CATGGCATGT	2040
GTATCTCTGC	TCTTCTCCAG	AAGGCACCAC	CACAGCTGCC	CACTTCTGGA	AGGTTCTATC	2100
TCCTGCTGGT	CTGGTCTCCA	CAAGCTCAGT	GTCCTCTCGC	TGGTCCCTCG	CATCCCGCTG	2160
CCAGGTCAGT	GTGATCTCCG	CAGGGTAGAA	ACCCAGGGCC	CAGCACCTCA	GGGTGGCCTC	2220
ATGGTCAGAG	ATGGGGTGGT	GGGTCACGTG	TGTCTTTGGG	GGGTCAGCGC	GCTCCAGCTT	2280
GTCCTTCCCC	TTCTCCAGGT	ATCTGCGGAG	CCACTCCACG	CACTCGCCCT	CCAGGTAGGC	2340
TCTCCGCTGC	TCCGCCTCAC	GGGCCGCCTC	CCACTTGCGC	TGGGTGATCT	GAGCCGCGGT	2400
GTCCGCGGGC	GTCCAGGAGC	GCAGGTCTCT	GTTCAGGGCG	ATGTAATCCT	TGCCGTCGTA	2460
GGCGTACTGG	TCATGCCCCG	GGAGGAGGCG	CCCGTCCGGC	CCCACGTCGC	AGCCGTACAT	2520
GCTCTGGAGG	GTGTGAGACC	CGGCCTCGCT	TGTGTTGTAG	TAGCCGCGCA	GGTCCGCAG	2580
GCTCTCTCGG	TCAGTCTGTG	CCTGGGCCTT	GTAGATCTGT	GTGTTCCGGT	CCCAATAC	2640
CGGCCCCCTC	TGCTCTATCC	ACGGCGCCCC	CGGCTCCTCT	CTCGGACTCG	CGGCGTCCGT	2700
GTCGAACCTC	ACGAACTGGG	TGTCGTCCAC	GTAGCCCACT	GAGATGAAGC	GGGGCTCCCC	2760
GCGGCCGGGC	CGGGACACGG	AGGTGTAGAA	ATACCTCATG	GAGTGGGAGC	GGCCCAGGTC	2820
TCGGTCAGGC	CAGGGCGCCG	AGAGCAGCAG	GAGGACGGTT	CGGGGCGCCA	TGACCACCAT	2880
GGTGAAGCTT	GGAGGTGCAC	ACCAATGTGG	TGAATGGTCA	AATGGCGTTT	ATTGTATCGA	2940
GCTAGGCACT	TAAATACAAT	TATCTCTGCA	ATGCGGAATT	CAGTGGTTCT	TCCAATCCAT	3000
GTCAGACCTG	TCTGTTGCCT	TCCTAATAAG	GCACGATCGT	ACCACCTTAC	TTCCACCAAT	3060
CGGCATGCAC	GGTGCTTTTT	CTCTCCTTGT	AAGGCATGTT	GCTAACTCAT	CGTTACCATG	3120
TTGCAAGACT	ACAAGTGTAT	TGCATAAGAC	TACATTTCCC	CCTCCCTATG	CAAAAGCGAA	3180
ACTACTATAT	CCTGAGGGGA	CTCCTAACCG	CGTACAACCG	AAGCCCCGCT	TTTCGCCTAA	3240
ACACACCCTA	GTCCCCTCAG	ATACGCGTAT	ATCTGGCCCC	TACATCGCGA	AGCAGCGCAA	3300
AACGCCTAAC	CCTAAGCAGA	TTCTTCATGC	AATTGTCTGG	CAAGCCTTGC	CTTGTTGTAG	3360
CTTAAATTTT	GCTCGCGCAC	TACTCAGCGA	CCTCCAACAC	ACAAGCAGGG	AGCAGATACT	3420
GGCTTAACTA	TGCGGCATCA	GAGCAGATTG	TACTGAGAGT	GCACCATATG	CGGTGTGAAA	3480
TACCGCACAG	ATGCGTAAGG	AGAAAATACC	GCATCAGGCG	CTCTTCCGCT	TCCTCGCTCA	3540
CTGACTCGCT	GCGCTCGGTC	GTTCCGGCTG	GGCGAGCGGT	ATCAGCTCAC	TCAAAGGCGG	3600
TAATACGGTT	ATCCACAGAA	TCAGGGGATA	ACGCAGGAAA	GAACATGTGA	GCAAAAGGCC	3660
AGCAAAAGGC	CAGGAACCGT	AAAAAGGCCG	CGTTGCTGGC	GTTTTTCCAT	AGGCTCCGCC	3720
CCCCTGACGA	GCATCACAAA	AATCGACGCT	CAAGTCAGAG	GTGGCGAAAC	CCGACAGGAC	3780
TATAAAGATA	CCAGGCCTTT	CCCCCTGGAA	GCTCCCTCGT	GCGCTCTCCT	GTTCCGACCC	3840
TGCCGCTTAC	CGGATACCTG	TCCGCCTTTC	TCCCTTCGGG	AAGCGTGGCG	CTTTCTCATA	3900
GCTCACGCTG	TAGGTATCTC	AGTTCGGTGT	AGGTCGTTCT	CTCCAAGCTG	GGCTGTGTGC	3960
ACGAACCCCC	CGTTCAGCCC	GACCGCTGCG	CCTTATCCGG	TAACATATCGT	CTTGAGTCCA	4020
ACCCGGTAAG	ACACGACTTA	TCGCCACTGG	CAGCAGCCA			4059

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## WHAT IS CLAIMED IS:

1. A vector adapted for use in transferring into tissue or cells of an organism genetic material encoding one or more cistrons capable of expressing one or more immunogenic or therapeutic peptides,  
5 comprising one or more of said cistrons and a backbone that comprises the following elements:
  - an origin of replication derived from pBR322;
  - genetic material encoding a selectable marker that confers resistance to an antibiotic;
  - 10 a promoter operably linked to any of said cistrons, which promoter is derived from CMV or RSV LTR or RSV LTR in which a polyadenylation signal native to said RSV LTR has been mutated; and
  - a polyadenylation signal that facilitates expression of any  
15 of said cistrons, which polyadenylation signal is derived from bovine growth hormone gene or SV40 or SV40 in which essentially all of any open reading frames native to said SV40 have been deleted;
  - and wherein said backbone optionally further comprises one  
20 or more of the following elements:
    - a ribosome binding site that facilitates translation of messages of any of said cistrons, which ribosome binding site is derived from EMC virus;
    - translation initiation sequence that facilitates expression  
25 of any of said cistrons; and
    - genetic material that facilitates splicing of transcripts of any of said cistrons.
2. The vector of Claim 1,  
30 wherein said genetic material that facilitates splicing is derived from SV40 or SV40 in which essentially all of any open reading frames native to said SV40 have been deleted.
3. The vector of Claim 1, wherein said peptides stimulate T-cell immunity against said tissue or cells.
4. The vector of Claim 3, wherein said peptides comprise class  
35 I major histocompatibility complex (MHC) antigens,  $\beta$ -2 microglobulins, or cytokines.
5. The vector of Claim 4, wherein said MHC antigen is foreign to said organism.
6. The vector of Claim 5, wherein said MHC antigen is HLA-B7.
- 40 7. The vector of Claim 6, wherein DNA encoding said HLA-B7 has

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had an intron native to said HLA-B7 deleted.

8. The vector of Claim 1, wherein said vector has the nucleotide sequence set forth in SEQ ID NO:1.

5 9. The vector of Claim 2, wherein said vector has the nucleotide sequence set forth in SEQ ID NO:2.

10. The vector of Claim 1, wherein said transferring occurs in vitro.

11. The vector of Claim 1, wherein said transferring occurs in vivo.

10 12. The vector of Claim 11, wherein said in vivo transferring is mediated by a catheter.

13. The vector of Claim 1,  
wherein said selectable marker confers resistance to kanamycin,

15 wherein said promoter is derived from RSV LTR in which a polyadenylation signal native to said RSV LTR has been mutated, and wherein said polyadenylation signal is derived from bovine growth hormone gene.

20 14. The vector of Claim 1 having that nucleotide sequence set forth in SEQ ID NO:1 which codes for:

said origin of replication, said genetic material encoding a selectable marker, said promoter, said polyadenylation signal, said ribosome binding site, and said translation initiation sequence.

25 15. The vector of Claim 1, having a plurality of cistrons which are organized in a poly-cistronic transcription unit,

wherein said selectable marker confers resistance to kanamycin,

30 wherein said promoter, which is operably linked to said poly-cistronic transcription unit, is derived from RSV LTR in which a polyadenylation signal native to said RSV LTR has been mutated,

35 and wherein said polyadenylation signal, which facilitates processing of said poly-cistronic transcription unit, is derived from bovine growth hormone gene.

16. The vector of Claim 1, having two cistrons which are organized in a bi-cistronic transcription unit,

wherein said selectable marker confers resistance to kanamycin,

40 wherein said promoter, which is operably linked to said bi-

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cistronic transcription unit, is derived from RSV LTR in which a polyadenylation signal native to said RSV LTR has been mutated,

5 and wherein said polyadenylation signal, which facilitates processing of said bi-cistronic transcription unit, is derived from bovine growth hormone gene.

17. The vector of Claim 1, having one cistron,

wherein said selectable marker confers resistance to kanamycin,

10 wherein said promoter, which is operably linked to said cistron, is derived from RSV LTR in which a polyadenylation signal native to said RSV LTR has been mutated,

and wherein said polyadenylation signal, which facilitates expression of said cistron, is derived from bovine growth hormone gene.

15 18. A pharmaceutical composition comprising the vector of Claim 1.

19. A pharmaceutical composition comprising the vector of Claim 1 in association with a transfer-facilitating vehicle.

20 20. The pharmaceutical composition of Claim 19, wherein said vehicle comprises a transfection-facilitating cationic lipid formulation.

21. The pharmaceutical composition of Claim 20, wherein said transfection-facilitating cationic lipid formulation is DMRIE-DOPE.

25 22. The pharmaceutical composition of Claim 21, wherein said DMRIE-DOPE has a molar ratio of 5:5.

23. The pharmaceutical composition of Claim 19, wherein said vehicle comprises an infection-facilitating viral vector.

30 24. A method for treating a disorder, in an organism, characterized as being responsive to the stimulation of T-cell immunity, comprising the step of transferring a vector into tissue or cells of said organism, wherein said vector comprises genetic material encoding one or more cistrons capable of expressing one or more peptides that stimulate T-cell immunity against said tissue or cells, such that said peptide or peptides are expressed resulting in the treatment of said disorder.

25. The method of Claim 24, wherein said disorder is neoplastic disease.

40 26. The method of Claim 25, wherein said neoplastic disease is melanoma cancer.



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27. The method of Claim 24, wherein said vector comprises the vector of Claim 1.

28. The method of Claim 24, wherein said transferring occurs *in vitro*.

5 29. The method of Claim 24, wherein said transferring occurs *in vivo*.

30. The method of Claim 29, wherein said *in vivo* transferring is mediated by a catheter.

10 31. The method of Claim 24, wherein said vector is associated with a transfer-facilitating vehicle.

32. The method of Claim 31, wherein said vehicle comprises a transfection-facilitating cationic lipid formulation.

33. The method of Claim 32, wherein said transfection-facilitating cationic lipid formulation is DMRIE-DOPE.

15 34. The method of Claim 33, wherein said DMRIE-DOPE has a molar ratio of 5:5.

35. The method of Claim 31, wherein said vehicle comprises an infection-facilitating viral vector.

20 36. A DNA cassette adapted for use in transferring into tissue or cells of an organism genetic material encoding one or more cistrons capable of expressing one or more immunogenic or therapeutic peptides or polypeptides, comprising the following elements:

an origin of replication derived from pBR322;

25 genetic material encoding a selectable marker that confers resistance to an antibiotic;

a promoter operably linked to any of said cistrons, which promoter is derived from CMV or RSV LTR or RSV LTR in which a polyadenylation signal native to said RSV LTR has been mutated; and

30 a polyadenylation signal that facilitates expression of any of said cistrons, which polyadenylation signal is derived from bovine growth hormone gene or SV40 or SV40 in which essentially all of any open reading frames native to said SV40 have been deleted;

35 and wherein said DNA cassette optionally further comprises one or more of the following elements:

a ribosome binding site that facilitates translation of messages of any of said cistrons, which ribosome binding site is derived from EMC virus;

40 translation initiation sequence that facilitates expression

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of any of said cistrons; and

genetic material that facilitates splicing of transcripts of any of said cistrons.

37. The DNA cassette of Claim 36, wherein said genetic material  
5 that facilitates splicing is derived from SV40 or SV40 in which essentially all of any open reading frames native to said SV40 have been deleted.

38. The DNA cassette of Claim 36,  
10 wherein said selectable marker confers resistance to kanamycin,

wherein said promoter is derived from RSV LTR in which a polyadenylation signal native to said RSV LTR has been mutated, and wherein said polyadenylation signal is derived from bovine growth hormone gene.

39. The DNA cassette of Claim 36 having that nucleotide  
15 sequence set forth in SEQ ID NO:1 which codes for:

said origin of replication, said genetic material encoding a selectable marker, said promoter, said polyadenylation signal, said ribosome binding site, and said translation initiation  
20 sequence.

40. The DNA cassette of Claim 36, having a plurality of cistrons which are organized in a poly-cistronic transcription unit,  
25 wherein said selectable marker confers resistance to kanamycin,

wherein said promoter, which is operably linked to said polycistronic transcription unit, is derived from RSV LTR in which a polyadenylation signal native to said RSV LTR has been mutated,

30 and wherein said polyadenylation signal, which facilitates processing of said poly-cistronic transcription unit, is derived from bovine growth hormone gene.

41. The DNA cassette of Claim 36, having two cistrons which are organized in a bi-cistronic transcription unit,

35 wherein said selectable marker confers resistance to kanamycin,

wherein said promoter, which is operably linked to said bi-cistronic transcription unit, is derived from RSV LTR in which a polyadenylation signal native to said RSV LTR has been mutated,

40 and wherein said polyadenylation signal, which facilitates

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processing of said bi-cistronic transcription unit, is derived from bovine growth hormone gene.

42. The DNA cassette of Claim 36, having one cistron, wherein said selectable marker confers resistance to kanamycin,

wherein said promoter, which is operably linked to said cistron, is derived from RSV LTR in which a polyadenylation signal native to said RSV LTR has been mutated,

and wherein said polyadenylation signal, which facilitates expression of said cistron, is derived from bovine growth hormone gene.

43. A recombinant expression system comprising a host organism and a genetic construct having an origin of replication derived from pBR322; genetic material encoding a selectable marker that confers resistance to an antibiotic; one or more cistrons organized in a polycistronic, bi-cistronic, or uni-cistronic transcription unit, a promoter operably linked to said transcription unit which promoter is derived from CMV or RSV LTR or RSV LTR in which a polyadenylation signal native to said RSV LTR has been mutated, and a polyadenylation signal that facilitates processing of said transcription unit which polyadenylation signal is derived from bovine growth hormone gene or SV40 or SV40 in which essentially all of any open reading frames native to said SV40 have been deleted; and wherein said recombinant expression system optionally comprises one or more of the following elements: a ribosome binding site that facilitates translation of messages of any of said cistrons internal to said transcription unit which ribosome binding site is derived from EMC virus; translation initiation sequence that facilitates expression of any of said cistrons; and intron sequence that facilitates splicing of transcripts of any of said cistrons.

44. The recombinant expression system of Claim 43 wherein said host organism is a human.

<b>(51) International Patent Classification <sup>5</sup> :</b> C12N 15/85, C07K 13/00, C12N 15/88 A61K 48/00, 9/127		<b>A3</b>	<b>(11) International Publication Number:</b> WO 94/29469 <b>(43) International Publication Date:</b> 22 December 1994 (22.12.94)
<b>(21) International Application Number:</b> PCT/US94/06069 <b>(22) International Filing Date:</b> 27 May 1994 (27.05.94) <b>(30) Priority Data:</b> 08/074,344 7 June 1993 (07.06.93) US <b>(60) Parent Application or Grant</b> <b>(63) Related by Continuation</b> US 08/074,344 (CIP) Filed on Not furnished		<b>(74) Agent:</b> ALTMAN, Daniel, E.; Knobbe, Martens, Olson and Bear, 16th floor, 620 Newport Center Drive, Newport Beach, CA 92660 (US). <b>(81) Designated States:</b> CA, JP, US, European patent (AT, BE, CH, DE, DK, ES, FR, GB, GR, IE, IT, LU, MC, NL, PT, SE). <b>Published</b> <i>With international search report.</i> <i>Before the expiration of the time limit for amending the claims and to be republished in the event of the receipt of amendments.</i> <b>(88) Date of publication of the international search report:</b> 23 March 1995 (23.03.95)	
<b>(71) Applicants (for all designated States except US):</b> VICAL INCORPORATED [US/US]; Suite 100, 9373 Towne Centre Drive, San Diego, CA 92121 (US). REGENTS OF THE UNIVERSITY OF MICHIGAN [US/US]; University of Michigan, 3003 South State Street, Ann Arbor, MI 48109 (US). <b>(72) Inventors; and</b> <b>(75) Inventors/Applicants (for US only):</b> NABEL, Gary, J. [US/US]; 3390 Andover Road, Ann Arbor, MI 48105 (US). NABEL, Elizabeth, G. [US/US]; 3390 Andover Road, Ann Arbor, MI 48105 (US). LEW, Denise [US/US]; 2191 Wandering Road, Encinitas, CA 92024 (US). MARQUET,			
<b>(54) Title:</b> PLASMIDS SUITABLE FOR GENE THERAPY			
<b>(57) Abstract</b> <p>The invention provides vectors adapted for use in transferring into tissue or cells of an organism genetic material encoding one or more cistrons capable of expressing one or more immunogenic or therapeutic peptides and related methods.</p>			

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## A. CLASSIFICATION OF SUBJECT MATTER

IPC 5 C12N15/85 C07K13/00 C12N15/88 A61K48/00 A61K9/127

According to International Patent Classification (IPC) or to both national classification and IPC

## B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols)

IPC 5 C12N C07K A61K

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Electronic data base consulted during the international search (name of data base and, where practical, search terms used)

## C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	NUCLEIC ACIDS RESEARCH, vol.20, no.12, 25 June 1992 pages 3233 - 3240 YOSHIMURA, K. ET AL. 'Expression of the human cystic fibrosis transmembrane conductance regulator gene in the mouse lung after in vivo intratracheal plasmid-mediated gene transfer' see page 3234, "Materials and Methods" ---	1,2,10, 11, 18-20, 36,37, 43,44
X	Invitrogen Molecular Biology Products, San Diego 1991 Catalog, page 28, plasmid pRc/RSV --- -/--	1,2,13, 16,17, 36-38, 40-43

☒ Further documents are listed in the continuation of box C.☒ Patent family members are listed in annex.

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- "&" document member of the same patent family

Date of the actual completion of the international search

1 December 1994

Date of mailing of the international search report

28.02.95

Name and mailing address of the ISA

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Authorized officer

Alt, G

## C.(Continuation) DOCUMENTS CONSIDERED TO BE RELEVANT

Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
Y	CANCER BIOLOGY, vol.3, February 1992 pages 43 - 46 WATANABE, Y. 'Transfection of interferon-gamma gene in animal tumors - a model for local cytokine production and tumor immunity' see page 45, left-hand column, second paragraph ---	3-7
Y	PROC. NATL. ACAD. SCI., vol.89, June 1992 pages 5157 - 5161 NABEL, E. ET AL. 'Transduction of a foreign histocompatibility gene into the arterial wall induces vasculitis' ---	3-7
A	WO,A,93 00052 (THE REGENTS OF THE UNIVERSITY OF MICHIGAN) 7 January 1993 ---	12
P,X	HUMAN GENE THERAPY, vol.5, 1994 pages 57 - 77 NABEL, G. ET AL. 'Clinical Protocol: Immunotherapy for cancer by direct gene transfer into tumors' see whole document -----	1-23, 36-44

**Box I Observations where certain claims were found unsearchable (Continuation of item 1 of first sheet)**

This international search report has not been established in respect of certain claims under Article 17(2)(a) for the following reasons:

1. ☐ Claims Nos.:  
because they relate to subject matter not required to be searched by this Authority, namely:
2. ☐ Claims Nos.:  
because they relate to parts of the international application that do not comply with the prescribed requirements to such an extent that no meaningful international search can be carried out, specifically:
3. ☐ Claims Nos.:  
because they are dependent claims and are not drafted in accordance with the second and third sentences of Rule 6.4(a).

**Box II Observations where unity of invention is lacking (Continuation of item 2 of first sheet)**

This International Searching Authority found multiple inventions in this international application, as follows:

- 1.-claims 1-23, 36-44: Specific vectors, DNA cassettes and expression systems;  
pharmaceutical composition containing the vectors.
- 2.-claims 24-35 : General method for treating a disorder.

1. ☐ As all required additional search fees were timely paid by the applicant, this international search report covers all searchable claims.
2. ☐ As all searchable claims could be searched without effort justifying an additional fee, this Authority did not invite payment of any additional fee.
3. ☐ As only some of the required additional search fees were timely paid by the applicant, this international search report covers only those claims for which fees were paid, specifically claims Nos.:
4. ☒ No required additional search fees were timely paid by the applicant. Consequently, this international search report is restricted to the invention first mentioned in the claims; it is covered by claims Nos.:

1-23, 36-44

Remark on Protest

- ☐ The additional search fees were accompanied by the applicant's protest.
- ☐ No protest accompanied the payment of additional search fees.



Patent document cited in rearch report	Publication date	Patent family member(s)	Publication date
WO-A-9300052	07-01-93	CA-A- 2112375	07-01-93
		CA-A- 2112376	07-01-93
		EP-A- 0591385	13-04-94
		EP-A- 0591408	13-04-94
		JP-T- 6509328	20-10-94
		JP-T- 6509329	20-10-94
		WO-A- 9300051	07-01-93
		US-A- 5328470	12-07-94
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## A. CLASSIFICATION OF SUBJECT MATTER

IPC 6 C12N15/12 C07K14/71 C12N15/85 C12N5/10 A61K48/00  
C12Q1/00

According to International Patent Classification (IPC) or to both national classification and IPC

## B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols)

IPC 6 C12N C07K A61K C12Q

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Electronic data base consulted during the international search (name of data base and, where practical, search terms used)

## C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X  A	<p>BREAST CANCER RESEARCH AND TREATMENT 36 (2). 1995. 139-155. ISSN: 0167-6806, XP000604149 KOLCH W ET AL: "Regulation of the expression of the VEGF -VPS and its receptors: Role in tumor angiogenesis."  see page 147, left-hand column, paragraph 2 - page 148, right-hand column, paragraph 1  --- -/--</p>	21-25

☒ Further documents are listed in the continuation of box C.

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\* & \* document member of the same patent family

Date of the actual completion of the international search

14 October 1996

Date of mailing of the international search report

30. 10. 96

Name and mailing address of the ISA

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## INTERNATIONAL SEARCH REPORT

International Application No

PC, US 96/10725

C.(Continuation) DOCUMENTS CONSIDERED TO BE RELEVANT		
Category	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
A	<p>WO,A,94 11499 (MAX-PLANCK-GESELLSCHAFT ZUR FÖRDERUNG DER WISSENSCHAFTEN E.V.) 26 May 1994</p> <p>see page 3, line 1 - line 26</p> <p>see page 8, line 7 - line 17</p> <p>see page 23, line 3 - page 24, line 12</p> <p>see page 30, line 18 - line 27</p> <p>see page 34, line 11 - page 35, line 7</p> <p>---</p>	1-25
A	<p>WO,A,92 13063 (ONCOGENE SCIENCE, INC., USA) 6 August 1992</p> <p>see page 15, line 23 - page 16, line 6</p> <p>see page 18, line 23 - page 21, line 4</p> <p>see page 22, line 4 - line 21</p> <p>see page 30, line 17 - page 32, line 15</p> <p>see page 34, line 31 - page 37, line 12</p> <p>see page 40, line 20 - page 41, line 24</p> <p>---</p>	1-25
A	<p>DEVELOPMENT,</p> <p>vol. 121, no. 4, 1 January 1995,</p> <p>pages 1089-1098, XP000604125</p> <p>THORSTEN M. SCHLAEGER ET AL.: "Vascular endothelial cell lineage-specific promoter in transgenic mice"</p> <p>see abstract</p> <p>see page 1089, right-hand column, paragraph 2</p> <p>see page 1091, right-hand column, paragraph 2 - page 1097, left-hand column, paragraph 3</p> <p>---</p>	1-25
A	<p>WO,A,94 10202 (GENENTECH INC) 11 May 1994</p> <p>see page 4, line 16 - page 6, line 2</p> <p>---</p>	21-25
P,X	<p>JOURNAL OF BIOLOGICAL CHEMISTRY,</p> <p>vol. 270, no. 39, 29 September 1995, MD US,</p> <p>pages 23111-23118, XP002015662</p> <p>CAM PATTERSON ET AL.: "Cloning and functional analysis of the promoter for KDR/flk-1, a receptor for vascular endothelial growth factor"</p> <p>see abstract</p> <p>see page 23113, right-hand column, last paragraph - page 23117, right-hand column, paragraph 2; figure 1</p> <p>-----</p>	1-12

## INTERNATIONAL SEARCH REPORT

PCT/US 96/ 10725

**Box I Observations where certain claims were found unsearchable (Continuation of item 1 of first sheet)**

This International Search Report has not been established in respect of certain claims under Article 17(2)(a) for the following reasons:

1. ☒ Claims Nos.: 13, 14, 20, 23-25  
because they relate to subject matter not required to be searched by this Authority, namely:  
Remark: Although claims 13, 14, 20 and 23-25 are directed to a method of treatment of the human/animal body the search has been carried out and based on the alleged effects of the compounds.
2. ☐ Claims Nos.:  
because they relate to parts of the International Application that do not comply with the prescribed requirements to such an extent that no meaningful International Search can be carried out, specifically:
3. ☐ Claims Nos.:  
because they are dependent claims and are not drafted in accordance with the second and third sentences of Rule 6.4(a).

**Box II Observations where unity of invention is lacking (Continuation of item 2 of first sheet)**

This International Searching Authority found multiple inventions in this international application, as follows:

1. ☐ As all required additional search fees were timely paid by the applicant, this International Search Report covers all searchable claims.
2. ☐ As all searchable claims could be searched without effort justifying an additional fee, this Authority did not invite payment of any additional fee.
3. ☐ As only some of the required additional search fees were timely paid by the applicant, this International Search Report covers only those claims for which fees were paid, specifically claims Nos.:
4. ☐ No required additional search fees were timely paid by the applicant. Consequently, this International Search Report is restricted to the invention first mentioned in the claims; it is covered by claims Nos.:

Remark on Protest

- ☐ The additional search fees were accompanied by the applicant's protest.
- ☐ No protest accompanied the payment of additional search fees.

Patent document cited in search report	Publication date	Patent family member(s)		Publication date
WO-A-9411499	26-05-94	AU-A-	5562794	08-06-94
		CA-A-	2149298	26-05-94
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		EP-A-	0669978	06-09-95
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WO-A-9213063	06-08-92	AU-A-	1469292	27-08-92
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		BR-A-	9207175	12-12-95
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		FI-A-	951987	26-04-95
		JP-T-	8502514	19-03-96
		NO-A-	951609	27-04-95
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